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GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

A COLLECTION OF THE

FEDERAL ACTS, ORDINANCES, PRESIDENT'S ORDERS AND REGULATIONS

FOR THE YEAR 1975

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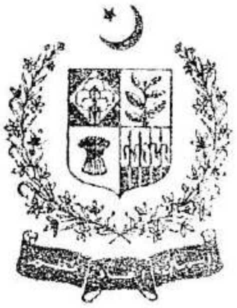

A COLLECTION OF THE

FEDERAL ACTS, ORDINANCES, PRESIDENT'S ORDERS AND REGULATIONS

FOR THE YEAR 1975

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 17th January, 1975

The following Acts of Parliament received the assent of the President on the 13th January, 1975, and are hereby published for general information :—

ACT NO. I OF 1975

An Act to amend the People's Finance Corporation Act, 1972

WHEREAS it is expedient to amend the People's Finance Corporation Act, 1972 (XXIX of 1972), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—This Act may be called the People's Finance Corporation (Amendment) Act, 1974.

(2) It shall come into force at once

2. **Amendment of section 1, Act XXIX of 1972.**—In the People's Finance Corporation Act, 1972 (XXIX of 1972), hereinafter referred to as the said Act, in section 1, in sub-section (2), after the word "Pakistan" at the end, the words "and also applies to the business of Corporation transacted outside Pakistan and the persons conducting such business" shall be added.

3. **Amendment of section 18, Act XXIX of 1972.**—In this said Act, in section 18, for sub-section (1) the following shall be substituted, namely :—

> "(1) Individuals and firms, having net assets not exceeding fifty thousand rupees in value, and all classes of small business owned or sponsored by such individuals or firms, shall be eligible for loans from the Corporation for such purposes, to such extent and subject to such conditions as may be prescribed.".

Price : Rs. 25

[1137 Ex. Gaz.]

ACT NO. II OF 1975

An Act further to amend the Frontier Corps Ordinance, 1959

WHEREAS it is expedient further to amend the Frontier Corps Ordinance, 1959 (XXVI of 1959), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Frontier Corps (Amendment) Act, 1974.

(2) It shall come into force at once.

2. **General amendment, Ordinance XXVI of 1959.**—In the Frontier Corps Ordinance, 1959 (XXVI of 1959), hereinafter referred to as the said Ordinance, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 2, Ordinance XXVI of 1959.**—In the said Ordinance, in section 2,—

(a) in clause (cc), for the word "the" the word "a" shall be substituted and shall be deemed always to have been so substituted ; and

(b) in clause (e), for the word "the" the word "an" shall be substituted and shall be deemed always to have been so substituted.

4. **Amendment of section 5, Ordinance XXVI of 1959.**—In the said Ordinance, in section 5,—

(a) in sub-section (1), for the words and commas "the Inspector General, Frontier Corps, the Deputy Inspector General, Frontier Corps," the words and commas "as many Inspectors General, Frontier Corps, and Deputy Inspectors General, Frontier Corps, as it considers necessary" shall be substituted and shall be deemed always to have been so substituted ; and

(b) after sub-section (1) amended as aforesaid, the following new sub-section shall be inserted, namely :—

"(1A) Where the Federal Government appoints more than one Inspector General or Deputy Inspector General, it shall, by notification in the official Gazette, specify the area within which each one of them shall exercise jurisdiction under this Ordinance.".

ACT NO. III OF 1975

An Act further to amend the Income-tax Act, 1922

WHEREAS it is expedient further to amend the Income-tax Act, 1922 (XI of 1922), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Shor title and commencement.**—(1) This Act may be called the Income-tax (Amendment) Act, 1974.

(2) It shall come into force at once and shall be deemed to have taken effect on the eleventh day of May, 1972.

2. **Amendment of section 4, Act XI of 1922.**—In the Income-tax Act, 1922 (XI of 1922), in section 4, in sub-section (1), in Explanation 6, in the proviso, for clause (i) the following shall be substituted, namely :—

"(i) in pursuance of a contract, other than a contract for the export of goods in consequence of a barter agreement between Pakistan and any other country, in which the bills of exchange have been drawn in Pakistan rupees ; or".

ACT NO. IV OF 1975

An Act further to amend the Pakistan Criminal Law Amendment Act, 1958

WHEREAS it is expedient further to amend the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Criminal Law Amendment Act (Amendment) Act, 1974.

(2) It shall come into force at once.

2. **General amendment, Act XL of 1958.**—In the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958), hereinafter referred, to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 3, Act XL of 1958.**—In the said Act, in section 3, in sub-section (2), for clause (a) the following shall be substituted, namely :—

"(a) is, or is qualified to be, a Judge of a High Court ; or".

4. **Repeal.**—The Pakistan Criminal Law Amendment Act (Amendment) Ordinance, 1974 (XIII of 1974), is hereby repealed.

ACT NO. V OF 1975

An Act further to amend the Criminal Law (Special Provisions) Ordinance, 1968

WHEREAS it is expedient further to amend the Criminal Law (Special Provisions) Ordinance, 1968 (W. P. Ordinance No. II of 1968), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Criminal Law (Special Provisions) (Amendment) Act, 1974.

(2) It extends to the areas specified in the Schedule to the Criminal Law (Special Provisions) Ordinance, 1968 (W. P. Ordinance No. II of 1968).

(3) It shall come into force at once.

2. **Amendment of section 5, W. P. Ordinance No. II of 1968.**—In the Criminal Law (Special Provisions) Ordinance, 1968 (W. P. Ordinance No. II of 1968), section 5 shall be re-numbered as sub-section (1) of that section and, after sub-section (1) re-numbered as aforesaid, the following new sub-sections shall be added, namely :—

"(2) A Tribunal shall hold its sittings at such place as the Deputy Commissioner may fix, having regard to the safety of the accused and the witnesses and availability of adequate legal assistance to the accused ; and such place may also be a place situated in an area in which this Ordinance is not for the time being in force.

(3) The power of the Deputy Commissioner under sub-section (2) shall, in respect of a place situated beyond the jurisdiction of the Deputy Commissioner by whom the Tribunal has been constituted, be exercisable by the Provincial Government.".

3. **Repeal.**—The Criminal Law (Special Provisions) (Amendment) Ordinance, 1974 (XIV of 1974), is hereby repealed.

ACT NO. VI OF 1975

An Act further to amend the Law Reforms Ordinance, 1972

WHEREAS it is expedient further to amend the Law Reforms Ordinance, 1972 (XII of 1972), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Law Reforms (Amendment) Act, 1974.

(2) It shall come into force at once.

2. **Amendment of section 3, Ordinance XII of 1972.** In the Law Reforms Ordinance, 1972 (XII of 1972), in section 3, in sub-section (2),—

(a) for the words, brackets and figures "clause (2) of Article 201 of the Interim Constitution of the Islamic Republic of Pakistan" the words, brackets and figures "clause (1) of Article 199 of the Constitution of the Islamic Republic of Pakistan" shall be substituted ;

(b) in the proviso,—

(i) for the figure "201" the figure "199" shall be substituted ; and

(ii) after the words "one appeal", the words "or one revision or one review" shall be inserted.

ACT NO. VII OF 1975

An Act to provide for the vesting of the Associated Cement in the State Cement Corporation of Pakistan Limited

WHEREAS it is expedient to provide for the vesting of the Associated Cement in the State Cement Corporation of Pakistan Limited and for matters connected therewith or incidental thereto;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Associated Cement (Vesting) Act, 1974.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Associated Cement" means the undertakings known as Associated Cement which immediately before the commencing day vested in the Federal Government, together with all lands, buildings, machinery, appliances, fixtures and funds appertaining thereto;

(b) "commencing day" means the day on which this Act comes into force; and

(c) "Corporation" means the State Cement Corporation of Pakistan Limited formed and registered under the Companies Act, 1913 (VII of 1913).

3. **Vesting of Associated Cement in Corporation.**—As from the commencing day,—

(a) the Associated Cement shall vest in the Corporation and all powers which immediately before that day were exercisable by the Federal Government in relation to the Associated Cement shall be exercisable by the Corporation;

(b) all rights, properties, assets, liabilities, debts and obligations of the Federal Government relating to the Associated Cement shall be the rights, properties, assets, liabilities, debts and obligations of the Corporation;

(c) any contract made, or deemed to have been made, on behalf of the President for the purposes of the Associated Cement shall be deemed to have been made on behalf of the Corporation;

(d) all suits and other legal proceedings in relation to the Associated Cement instituted, or deemed to have been instituted, by or against the Federal Government shall be deemed to be suits and proceedings instituted by or against the Corporation and may be proceeded with accordingly; and

(e) all orders and instructions issued by the President or the Federal Government before the commencing day in relation to the Associated Cement shall, to the extent they are not inconsistent with the provisions of this Act, be deemed to be orders and instructions issued by the Corporation.

4. Continuance in service of employees, etc.—(1) Every officer and employee employed for the purposes of the Associated Cement shall, on the commencing day, become an officer or employee, as the case may be, of the Corporation and shall hold office therein on such terms and conditions, which are not less favourable than those to which he was entitled immediately before the commencing day, as the Corporation may determine :

Provided that an officer or employee of the Corporation shall, unless his services are earlier terminated in accordance with the terms and conditions applicable to him, retire from service on the completion of the fifty-eighth year of his age.

(2) Any officer or employee who becomes an officer or employee of the Corporation under sub-section (1) may be transferred—

(a) by the Corporation, to any company or project set up by it, or

(b) by the Federal Government, to any other corporation, company or industrial unit controlled by it,

and shall hold office therein on terms and conditions which are not less favourable than those to which he was entitled immediately before such transfer.

(3) Any officer or employee who becomes an officer or employee of the Corporation under sub-section (1), or is transferred under sub-section (2), shall not be entitled to any compensation or to the designation which he was holding immediately before the commencing day or, as the case may be, the date of such transfer, and no claim for such compensation or designation shall be entertained by any court, tribunal or other authority.

(4) If any question arises as to whether any person was, immediately before the commencing day, an officer or employee employed for the purposes of the Associated Cement, the question shall be referred to the Federal Government whose decision shall be final.

5. Administration, etc., of the Associated Cement.—(1) The Corporation shall, subject to the provisions of this Act, be competent to administer, control, operate, manage, reorganise or dispose of the Associated Cement in such manner as it deems fit.

(2) In particular and without prejudice to the generality of the foregoing provision, the Corporation may, with the approval of the Federal Government, transfer the management of the Associated Cement to one or more companies sponsored by the Corporation and registered under the Companies Act, 1913 (VII of 1913).

6. Provident Fund.—(1) Notwithstanding anything contained in the rules relating to the Provident Fund of the Staff of the Associated Cement and the Provident Fund of the Workers of Associated Cement, the accumulated balance standing to the credit of every officer or employee referred to in sub-section (1) of section 4 in either of those Funds immediately before the commencing day shall be paid to the Corporation.

(2) An officer or employee referred to in sub-section (1) of section 4 shall be deemed to have become as from the commencing day a member of the Provident Fund established, by the Corporation and, in the records of such Provident Fund, a separate account shall be opened for such officer or employee and

be credited with the amount of the accumulated balance standing to the credit of such officer or employee in the Provident Fund of the Staff of the Associated Cement or, as the case may be, the Provident Fund of the Workers of the Associated Cement immediately before the commencing day.

(3) Where the services of any officer or employee referred to in sub-section (1) of section 4 are transferred to any other corporation or company, the accumulated balance standing to the credit of every such officer or employee in the Provident Fund of the Corporation immediately before such transfer shall be paid to such other corporation or company and, in the records of the Provident Fund of the corporation or company, a separate account shall be opened for such officer or employee and be credited with the amount of the accumulated balance standing to his credit in the Provident Fund of the Corporation immediately before such transfer.

7. **Investment by the Federal Government.**—(1) The investment made by the Federal Government in the Associated Cement before the commencing day shall be deemed to be the Federal Government's equity in the Corporation :

Provided that the loans advanced for the expansion of the factories of the Associated Cement and the interest thereon shall be repayable by the Corporation.

(2) The amount of equity referred to in sub-section (1) shall be determined by the Federal Government in consultation with the Corporation.

8. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against the Federal Government, the Corporation or any other person for anything in good faith done or intended or purported to be done under this Act.

9. **Bar of jurisdiction.**—(1) No court shall call in question, or permit to be called in question, any provision of this Act, or of any rule or order made or anything done or any action taken or purporting to be made, done or taken thereunder.

(2) No court shall grant any injunction, make any order or entertain any proceedings in relation to anything done or intended or purporting to be done under this Act.

10. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make such rules as appear to it to be necessary or expedient for carrying out the purposes of this Act.

11. **Removal of difficulties.**—If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order or issue such directive, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing the difficulty :

Provided that no such order shall be made after the expiry of one year from the commencing day.

12. **Repeal.**—The Associated Cement (Vesting) Order, 1970 (P. O. No. 19 of 1971), and the Associated Cement (Vesting) Ordinance, 1974 (XX of 1974), are hereby repealed.

ACT NO. VIII OF 1975

An Act to provide for the constitution of a Federal Investigation Agency

WHEREAS it is expedient to provide for the constitution of a Federal Investigation Agency for the investigation of certain offences committed in connection with matters concerning the Federal Government, and for matters connected therewith;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Federal Investigation Agency Act, 1974.

(2) It extends to the whole of Pakistan and also applies to all citizens of Pakistan and public servants, wherever they may be.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Agency" means the Federal Investigation Agency constituted under section 3;

(b) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898);

(c) "Director-General" means the Director General of the Agency;

(d) "Provincial Police" means the Police constituted by a Provincial Government under the Police Act, 1861 (V of 1861);

(e) "public servant" means a public servant as defined in section 21 of the Pakistan Penal Code (Act XLV of 1860), and includes an employee of any corporation or other body or organization set up, controlled or administered by the Federal Government;

(f) "Special Police" means the Pakistan Special Police Establishment constituted under the Pakistan Special Police Establishment Ordinance, 1948 (VIII of 1948);

(g) "specified persons" means the persons who were appointed to posts in or under a Provincial Police in pursuance of Article 3 of the Special Police and Provincial Police (Amalgamation) Order, 1962 (P.O. No. 1 of 1962); and

(h) "rules" means rules made under this Act.

3. **Constitution of the Agency.**—(1) Notwithstanding anything contained in any other law for the time being in force, the Federal Government may constitute an Agency to be called the Federal Investigation Agency for inquiry into, and investigation of, the offences specified in the Schedule, including an attempt or conspiracy to commit, and abetment of, any such offence.

(2) The Agency shall consist of a Director-General to be appointed by the Federal Government and such number of other officers as the Federal Government may, from time to time, appoint to be members of the Agency.

4. **Superintendence and administration of the Agency.**—(1) The superintendence of the Agency shall vest in the Federal Government.

(2) The administration of the Agency shall vest in the Director-General who shall exercise in respect of the Agency such of the powers of an Inspector General of Police under the Police Act, 1861 (V of 1861), as may be prescribed by rules.

5. **Powers of the members of the Agency.**—(1) Subject to any order which the Federal Government may make in this behalf, the members of the Agency shall, for the purpose of an inquiry or investigation under this Act, have throughout Pakistan such powers, including powers relating to search, arrest of persons and seizure of property, and such duties, privileges and liabilities as the officers of a Provincial Police have in relation to the investigation of offences under the Code or any other law for the time being in force.

(2) Subject to rules, if any, a member of the Agency not below the rank of a Sub-Inspector may, for the purposes of any inquiry or investigation under this Act, exercise any of the powers of an officer in charge of a police-station in any area in which he is for the time being and, when so exercising such powers, shall be deemed to be an officer-in-charge of a police-station discharging his functions as such within the limits of his station.

(3) Without prejudice to the generality of the provisions of sub-section (1) and sub-section (2), any member of the Agency not below the rank of a Sub-Inspector authorised by the Director-General in this behalf may arrest without warrant any person who has committed, or against whom a reasonable suspicion exists that he has committed, any of the offences referred to in sub-section (1) of section 3.

(4) For the purpose of the exercise by the members of the Agency of the powers of an officer in charge of a police-station, "Police-station" includes any place declared, generally or specially, by the Federal Government to be a police-station within the meaning of the Code.

(5) If, in the opinion of a member of the Agency conducting an investigation, any property which is the subject matter of the investigation is likely to be removed, transferred or otherwise disposed of before an order of the appropriate authority for its seizure is obtained, such member may, by order in writing, direct the owner or any person who is, for the time being, in possession thereof not to remove, transfer or otherwise dispose of such property in any manner except with the previous permission of that member and such order shall be subject to any order made by the Court having jurisdiction in the matter.

(6) Any contravention of an order made under sub-section (5) shall be punishable with rigorous imprisonment for a term which may extend to one year, or with fine, or with both.

6. **Power to amend the Schedule.**—The Federal Government may, by notification in the official Gazette, amend the Schedule so as to add any entry thereto or modify or omit any entry therein.

7. **Delegation of powers.**—The Director-General may, by order in writing, direct that all or any of his powers under this Act or the rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by any member of the Agency so specified.

8. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against the Federal Government, any member of the Agency or any other person exercising any power or performing any function under this Act or the rules for anything which is in good faith done or intended to be done under this Act or the rules.

9. **Power to make rules.**—(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the terms and conditions of service of the Director-General and other members of the Agency and the qualifications for recruitment to various posts ;

(b) the powers and functions of the members of the Agency in relation to the conduct of inquiries and investigations ;

(c) the nature and extent of the assistance which the Agency may provide to Provincial investigating agencies ;

(d) the powers of the Inspector General of Police under the Police Act, 1861 (V of 1861), which shall be exercisable by the Director-General ; and

(e) the manner in which rewards may be given to the members of the Agency or of the public for rendering commendable services.

10. **Repeal.**—(1) The Pakistan Special Police Establishment Ordinance, 1948 (VIII of 1948), and the Special Police and Provincial Police (Amalgamation) Order, 1962 (P. O. No. 1 of 1962), hereinafter referred to respectively as the said Ordinance and the said Order, are hereby repealed.

(2) Upon the repeal of the said Ordinance,—

(a) all persons who were members of the Special Police immediately before such repeal, including the specified persons, shall stand transferred to the Agency and shall, subject to sub-section (5), be entitled to the same terms and conditions to which they were entitled immediately before such repeal ; and

(b) any inquiry or investigation pending with the Special Police immediately before such repeal shall continue to be conducted by the Agency.

(3) Notwithstanding the repeal of the said Order, but subject to sub-section (4), every specified person shall continue to be appointed in or under the Provincial Police in or under which he was holding a post immediately before the commencement of this Act.

(4) On the recommendation of the Director-General, and with the concurrence of the Provincial Government concerned, the Federal Government may direct that such of the specified persons referred to in sub-section (3) as may, within thirty days of the commencement of this Act, express their willingness to serve in or under the Agency shall be appointed to posts in or under the Agency.

(5) A specified person referred to in clause (a) of sub-section (2), and a person in respect of whom a direction is issued under sub-section (4) shall, upon the repeal of the said Ordinance or, as the case may be, the issue of such direction, cease to hold a post in or under the Provincial Police concerned and shall be entitled to the same terms and conditions of service to which he was entitled immediately before such repeal or the issue of such direction.

THE SCHEDULE

[*See* sections 3 (1) and 6]

1. Offences punishable under sections 120-B, 121 to 124-A, 131—134, 138, 161—165A, 176, 187, 201, 217, 218, 224, 225, 231 to 263-A, 379 to 382, 403 to 409, 411, 414, 417 to 420, 465 to 468, 471 to 477-A, 489-A, 489-B, 489-C, 489-D and 489-E of the Pakistan Penal Code (Act XLV of 1860).

2. Offences punishable under the Official Secrets Act, 1923 (XIX of 1923).

3. Offences punishable under the Prevention of Corruption Act, 1947 (II of 1947).

4. Offences punishable under the Foreign Exchange Regulation Act, 1947 (VII of 1947).

5. Offences punishable under section 156 of the Customs Act, 1969 (IV of 1969).

6. Offences punishable under the Improper Acquisition of Property Regulation, 1969.

7. Offences punishable under the Living Beyond Ostensible Means (Punishment) Regulation, 1969.

8. Offences punishable under the Withdrawal of Currency Notes (High Denomination) Regulation, 1971.

9. Offences punishable under the Foreign Exchange Repatriation Regulation, 1972.

10. Offences punishable under the Foreign Assets (Declaration) Regulation, 1972.

11. Offences punishable under the Passport Act, 1974 (XX of 1974).

12. Offences punishable under the Federal Investigation Agency Act, 1974.

13. Offences punishable under sections 166 to 169, 182, 183, 186, 188, 189, 211, 332, 333, 353 of the Pakistan Penal Code (Act XLV of 1860).

14. Offences punishable under the Banking Companies Ordinance, 1962 (LVII of 1962).

15. Offences punishable under the Newsprint Control Ordinance, 1971 (XI of 1971).

16. Offences punishable under the Drugs (Generic Names) Act, 1972 (XXIV of 1972).

ASLAM ABDULLAH KHAN,
Secretary.

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ISLAMABAD, MONDAY, JANUARY 20, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 20th January, 1975

The following Act of Parliament received the assent of the President on the 17th January, 1975, and is hereby published for general information :—

ACT No. IX OF 1975

An Act to make provision for the payment of pension to persons who have held the office of President

WHEREAS it is expedient to make provision for the payment of pension to persons who have held the office of President;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the President's Pension Act, 1974.

(2) It shall come into force at once.

2. **Amount and condition of pension.**—There shall be payable to every person who, having held, after the nineteenth day of December, 1971, the office of President for not less than two years and not having been removed therefrom for violating the Constitution or gross misconduct, has ceased to hold such office, a monthly pension for life of two thousand rupees :

Provided that the right to receive pension under this Act shall be suspended for the period that a person entitled to receive it holds any office in respect of which he draws salary or other remuneration from the public exchequer :

Provided further that the condition of holding office for not less than two years shall not apply in the case of a person who has held the office of President under the Interim Constitution of the Islamic Republic of Pakistan.

Price : Ps. 6

[1176 Ex. Gaz.]

(2) A person entitled to receive pension under sub-section (I) may, within one month from the date on which he becomes so entitled, elect to receive gratuity in lieu of pension and, if he so elects, shall be paid as gratuity a sum free from all taxes, calculated at the rate of twenty-five thousand rupees for every one year proportionately for each completed calendar month of his office subject to a maximum of two lakhs of rupees.

(3) If a person referred to in sub-section (1) dies without receiving any pension under that sub-section or electing for gratuity under sub-section (2), he shall be deemed to have elected for gratuity and, the sum due to him as gratuity shall be paid to the person nominated by him in this behalf or, in the absence of such nomination, to his heirs.

3. **Provision of other facilities.**—In addition to the pension aforesaid, a person referred to in sub-section (I) of section 2 shall be entitled to the facilities specified in the Schedule.

4. **Expenditure on pension and other facilities to be charged on Federal Consolidated Fund.**—The expenditure on the pension and other facilities aforesaid shall be charged upon the Federal Consolidated Fund.

5. **Repeal.**—The Governor-General's Pension Act, 1954 (IX of 1954), is hereby repealed.

THE SCHEDULE

(*See* section 3)

(i) Exemption from the provisions of the West Pakistan Arms Ordinance, 1965 (W. P. Ordinance No. XX of 1965), or any other law for the time being in force relating to the possession of arms, firearms or ammunition.

(ii) Diplomatic passport.

(iii) Access to Government Guest Houses, Rest Houses and Circuit Houses in the country free of charge.

(iv) Installation of telephone at residence at Government expense and exemption from payment of its rental and, of charges of calls made therefrom to the extent of two thousand and four hundred rupees during a financial year in the aggregate.

ASLAM ABDULLAH KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 25th January, 1975

The following Acts of Parliament received the assent of the President on the 25th January, 1975, and are hereby published for general information :—

ACT No. X OF 1975

An Act to amend The Hydrogenated Vegetable Oil Industry (Control and Development) Act, 1973

WHEREAS it is expedient to amend the Hydrogenated Vegetable Oil Industry (Control and Development) Act, 1973 (LXV of 1973), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Hydrogenated Vegetable Oil Industry (Control and Development) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 3, Act LXV of 1973.**—In the Hydrogenated Vegetable Oil Industry (Control and Development) Act, 1973 (LXV of 1973), hereinafter referred to as the said Act, in section 3, the following Explanation shall be added at the end and shall be deemed always to have been so added, namely :—

> "*Explanation.*—In this section and section 5, "foreign investor" means a person, other than a citizen of Pakistan, who has made investment in Pakistan and to whom—
>
> (a) the Federal Government has given an assurance that he will have the right to repatriate from Pakistan the amount of his investment or the income arising therefrom or both such amount and such income ; or

Price : Ps. 25

(b) the Federal Government has not given such assurance, but whom it has assured that, in the event of compulsory acquisition of the shares held in an establishment by the shareholders, he will not be treated less favourably than an investor to whom such assurance had been given."

3. **Amendment of section 14, Act LXV of 1973.**—In the said Act, in section 14, the words "within a period of ninety days" shall be omitted.

4. **Amendment of the Schedule, Act LXV of 1973.**—In the said Act, in the Schedule,—

(a) for paragraph 3 the following shall be substituted, namely:—

"3. The compensation payable in accordance with the principles indicated above shall be paid by the Federal Government in cash or in the form of Government Bonds redeemable at any time at the option of the Federal Government within a period of fifteen years and carrying, with effect from the date of acquisition, a rate of interest one per cent above the bank rate as notified by the State Bank of Pakistan from time to time. The Bonds shall be negotiable and shall also be eligible as security for advances."; and

(b) in paragraph 4, in clause (a), after the words, brackets and letter "clause (c) of", the words, brackets and figure "sub-rule (2) of" shall be inserted.

5. **Repeal.**—The Hydrogenated Vegetable Oil Industry (Control and Development) (Amendment) Ordinance, 1974 (XVII of 1974), is hereby repealed.

ACT NO. XI OF 1975

An Act further to amend certain laws relating to the welfare of workers

WHEREAS it is expedient further to amend certain laws relating to the welfare of workers;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Labour Laws (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of certain laws.**—The laws specified in the Schedule shall be amended in the manner specified in the fourth column thereof.

3. **Repeal.**—The Labour Laws (Amendment) Ordinance, 1974 (XII of 1974), is hereby repealed.

THE SCHEDULE

Sl. No.	Number and year of Act or Ordinance	Short title	Amendment
1	2	3	4
1.	VIII of 1923.	The Workmen's Compensation Act, 1923.	1. For the words "High Court", whenever occurring, the word "Tribunal" shall be substituted. 2. In section 2, in sub-section (1), after clause (1), the following new clause shall be inserted, namely :— "(11) "Tribunal" has the same meaning as in the Industrial Relations Ordinance, 1969 (XXIII of 1969) ;". 3. In section 30, after sub-section (3), the following new sub-section shall be added, namely :— "(4) All appeals under this section, and all questions under section 27, pending before any High Court immediately before the commencement of the Labour Laws (Amendment) Act, 1975, shall, on such commencement, stand transferred to, and be disposed of by, the Tribunal within whose jurisdiction the cause of action to which the appeal relates or, as the case may be, the question arose.". 4. In section 35, in sub-section (1), for the words "Central Government" the words "Federal Government" shall be substituted.
2.	XXV of 1934.	The Factories Act, 1934.	In section 60, in clause (b), in sub-clause (i), for the word and figure "and 48" the commas, figures, letters and word, ",48, 49H and 49I" shall be substituted.
3.	IV of 1936.	The Payment of Wages Act, 1936.	1. In section 1, in sub-section (3), for the words "Central Government" the words "Federal Government" shall be substituted. 2. In section 17,— (a) in sub-section (1), for the words "District Court" the words, commas, figures and brackets "Labour Court constituted under the Industrial Relations Ordinance, 1969 (XXIII of 1969), within whose jurisdiction the cause of action to which the appeal relates arose" shall be substituted ; and

1	2	3	4
			(b) after sub-section (1) amended as aforesaid, the following new sub-section shall be inserted, namely :— "(1A) All appeals pending before any District Court under this section immediately before the commencement of the Labour Laws (Amendment) Act, 1975, shall, on such commencement, stand transferred to, and be disposed of by, the Labour Court within whose jurisdiction the cause of action to which the appeal relates arose.".
4.	XII of 1968.	The Companies Profits (Workers Participation) Act, 1968.	For the words "Central Government" wherever occurring, the words " Federal Government " shall be substituted and shall be deemed to have been so substituted on the fourteenth day of August, 1973.
5.	XI of 1972.	The Workers' Children (Education) Ordinance, 1972.	In section 5, for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :— "Provided that the amount of the cess shall be held in a separate account and shall be expended only for the purposes of this Ordinance.".
6.	LVIII of 1973.	The Newspaper Employees (Conditions of Service) Act, 1973.	After section 23, the following new section shall be inserted and shall be deemed to have been so inserted on the 14th day of August, 1973, namely :— "23A. *Continuation of powers*.—The powers conferred by this Act on the Federal Government shall, as from the fourteenth day of August, 1973, continue to be exercised by the Federal Government.".

ACT NO. XII OF 1975

An Act to amend the Road Transport Workers Ordinance, 1961

WHEREAS it is expedient to amend the Road Transport Workers Ordinance, 1961 (XXVIII of 1961), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Road Transport Workers (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Insertion of new section 3A, Ordinance XXVIII of 1961.**—In the Road Transport Workers Ordinance, 1961 (XXVIII of 1961), hereinafter referred to as the said Ordinance, after section 3, the following new section shall be inserted, namely :—

"3A. *Order of appointment, etc.*—An employer—

(a) who has employed a worker before the commencement of the Road Transport Workers (Amendment) Act, 1975, shall within one month of such commencement, and

(b) who employs, transfers or promotes a worker after such commencement shall on the day of such employment, transfer or promotion,

furnish such worker with an order in writing in such form as may be prescribed specifying the terms and conditions of his employment, transfer or promotion, as the case may be.".

3. **Amendment of section 4, Ordinance XXVIII of 1961.**—In the said Ordinance, in section 4, in sub-section (1),—

(a) in clause (a), for the word "eight" the word "seven" shall be substituted;

(b) in clause (b), for the word "nine" the word "eight" shall be substituted;

(c) in clause (c), for the word "fifty-four" the word "forty-eight" shall be substituted; and

(d) after clause (c) amended as aforesaid, the following explanation shall be inserted, namely :—

Explanation.—A worker who is required to wait for not less than 30 minutes to be employed on a vehicle shall be deemed to be employed on a vehicle during the time he is so required to wait.".

4. **Insertion of new section 6A, Ordinance XXVIII of 1961.**—In the said Ordinance, after section 6, the following new sections shall be inserted, namely :—

"6A. *Festival holidays.*—(1) Every worker shall be entitled to festival holidays with full wages for twelve days in a year and the employer shall notify the days and dates for such holidays to workers within a week,—

(a) in the case of a road transport service operating immediately before the commencement of the Road Transport Workers (Amendment) Act, 1975,—

(i) for the year 1975, of the commencement of the said Act; and

(ii) for subsequent years, of the beginning of each calendar year; and

(b) in the case of a road transport service which starts operating after the commencement of the said Act,—

(i) for the year in which it starts operating, of the starting of its operation ; and

(ii) for subsequent years, of the beginning of each calendar year.

(2) A worker may be required to work on any festival holiday but a substitute holiday shall be allowed to him within ten days of the festival holiday, or, at his option, he shall be paid wages in respect of such work at double the ordinary rate of wages payable to him.

6B. *Casual leave.*—Every worker shall be entitled in a year to ten days' casual leave on full wages :

Provided that casual leave admissible under this section shall not be accumulated and carried forward to the succeeding year. ".

5. **Substitution of section 7, Ordinance XXVIII of 1961.**—In the said Ordinance, for section 7 the following shall be substituted, namely :—

" 7. *W. P. Ordinance No. VI of 1968 to apply to road transport service.*—The provisions of Standing Orders 10B, 10C, 12, other than those contained in clause (2) thereof, 13, 14, other than the proviso thereto, and 15 of the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W. P. Ordinance No. VI of 1968), as in force for the time being, shall apply to every road transport service as if such road transport service were an industrial establishment to which the aforesaid Ordinance had been applied by a notification under clause (c) of sub-section (4) of section 1 thereof, and as if a worker was a workman or permanent workman, as the case may be, within the meaning of that Ordinance :

Provided that for the purpose of calculating the period for which gratuity is due under Standing Order 12, no period of service preceding the commencement of the Road Transport Worwers (Amendment) Act, 1975, shall be taken into account :

Provided further that Standing Order 10B or 10C, or Standing Order 12, in so far as it relates to gratuity, shall apply only to a road transport service wherein the workers and the other persons employed on any day within the twelve months immediately preceding the commencement of the said Act were, or on the day of commencement of the said Act or on any day thereafter are,—

(a) in the case of Standing Order 10B, more than forty-nine ; or

(b) in the case of Standing Orders 10C and 12, more than nineteen. ".

6. **Amendment of section 11, Ordinance XXVIII of 1961.**—In the said Ordinance, in section 11, for the words "liable on first conviction to fine not

exceeding fifty rupees for the first offence and two hundred rupees for every subsequent offence" the following shall be substituted, namely :—

"punishable—

(a) for the first offence, with fine not exceeding one thousand rupees; and

(b) for every subsequent offence, with imprisonment which may extend to six months and fine not exceeding one thousand rupees".

7. **Repeal.**—The Road Transport Workers (Amendment) Ordinance, 1974 (XI of 1974), is hereby repealed.

ACT NO. XIII OF 1975

An Act to provide for the management and disposal of evacuee properties attached to charitable, religious or educational trusts or institutions

WHEREAS it is expedient to provide for the management and disposal of evacuee properties attached to charitable, religious or educational trusts or institutions;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Evacuee Trust Properties (Management and Disposal) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once and shall be deemed to have taken effect on the first day of July, 1974.

2. **Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) "Act" means the Displaced Persons (Compensation and Rehabilitation) Act, 1958 (XXVIII of 1958), or the Displaced Persons (Land Settlement) Act, 1958 (XLVII of 1958), as the case may be;

(b) "Board" means the Evacuee Trust Property Board constituted under section 3;

(c) "Chairman" means the Chairman of the Board;

(d) "evacuee trust property" means the evacuee trust properties attached to charitable, religious or educational trusts or institutions or any other properties which form part of the Trust Pool constituted under this Act;

(e) "member" means a member of the Board;

(f) "public dues" includes arrears of rent or any charges due in respect of any evacuee trust property;

(g) "regulations" means regulations made under this Act;

(h) "rules" means rules made under this Act;

(i) "rural area" means the area other than the urban area;

(j) "scheme" means a scheme for the management and disposal of evacuee trust property;

(k) "Secretary" means the Secretary to the Board; and

(l) "urban area" means the area situated within the limits of a municipal corporation, a municipal committee, a notified area committee, a town area committee, a small town committee, a sanitary committee or a cantonment as those limits existed on the fourteenth day of August, 1947.

(2) All other words and expressions used but not defined in this Act shall have the same meaning as in the Registration of Claims (Displaced Persons) Act, 1956 (III of 1956), the Pakistan Rehabilitation Act, 1956 (XLII of 1956), the Pakistan Administration of Evacuee Property Act, 1957 (XII of 1957), the Displaced Persons (Compensation and Rehabilitation) Act, 1958 (XXVIII of 1958), or the Displaced Persons (Land Settlement) Act, 1958 (XLVII of 1958).

3. **Constitution of the Board.**—(1) The Federal Government shall constitute a Board, to be known as the Evacuee Trust Property Board, for the management and disposal of evacuee trust property.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The Board shall consist of a Chairman and such members as the Federal Government may, by notification in the official Gazette, appoint.

(4) The Chairman shall be appointed by the Federal Government on such terms and conditions as it may determine, shall hold office during the pleasure of the Federal Government and shall be the administrative and executive head of the Board.

(5) A member shall, unless he earlier resigns his office under sub-section (6) or is removed under sub-section (7), hold office for a period of three years on such terms and conditions as the Federal Government may determine.

(6) A member may at any time, resign his office by writing under his hand addressed to the Federal Government.

(7) The Federal Government shall have the power to remove any member if he—

(i) is disqualified for employment in, or dismissed from, the service of Pakistan; or

(ii) is, or at any time has been, convicted of an offence involving moral turpitude; or

(iii) is, or at any time has been, adjudicated an insolvent; or

(iv) is of unsound mind and has been so declared by a competent court; or

(v) absents himself from three consecutive meetings of the Board without any reasonable cause; or

(vi) is found by the Federal Government to be acting in any manner prejudicial to the objects of this Act or any scheme.

4. Functions of the Board.—(1) The general supervision and control of all evacuee trust property shall, subject to any directions that may be given by the Federal Government, vest in the Board, and the Board shall take such action as it deems fit for the proper management, maintenance and disposal of such property in accordance with the provisions of this Act and the rules, scheme, or directions made or issued thereunder.

(2) In particular and without prejudice to the generality of the foregoing power, the functions of the Board shall be—

(a) to maintain a complete and authentic record of all evacuee trust property;

(b) to prepare and submit, by the 31st of May each year, to the Federal Government for its approval, the annual budget estimates alongwith detailed statements of receipts and expenditure;

(c) to buy out of surplus income, if any, or by taking loan from any statutory corporation, with the approval of the Federal Government, any other property which may be considered to be beneficial for promoting the objects of this Act or any scheme;

(d) with the prior approval of the Federal Government, to sell, dispose of, transfer or make an endowment or otherwise manage evacuee trust property consistent with the objects of this Act or a scheme or for any other object which is considered to be a public purpose by the Federal Government;

(e) to mortgage or lease any evacuee trust property in accordance with the instructions of the Federal Government;

(f) to assess or reassess the rent or lease amount of the evacuee trust property;

(g) with the prior approval of the Federal Government, to extinguish a trust or to wind up an institution the original object of which has wholly or partly ceased to exist;

(h) to incur expenditure on repairs or maintenance of holy shrines not exceeding such amount as the Federal Government may approve;

(i) to maintain religious shrines and provide facilities for the pilgrims;

(j) to set up, or make grants-in-aid to, orphanages, leper houses, widow houses, poor houses and educational, vocational, technical or health institutions and hospitals subject to the general control and directions of the Federal Government;

(k) to order sealing of any evacuee trust property in an appropriate case pending payment of the Board's dues by the person concerned;

(l) to undertake development programmes for increasing the productivity of agricultural land forming part of the Trust Pool and for enhancing the commercial value of an evacuee trust property;

(m) to invest money, with the prior approval of the Federal Government, for any other social welfare or charitable purpose;

(n) to set up, with the prior approval of the Federal Government, any industrial or commercial undertaking;

(o) to enter upon and inspect evacuee trust property;

(p) to appoint such staff on such terms and conditions as may be approved by the Federal Government consistent with the sanctioned budget;

(q) to exercise financial and administrative control over offices attached to or under it;

(r) to prepare a scheme or schemes with the prior approval of the Federal Government for promoting the objects of this Act; and

(s) to institute and defend suits and proceedings in a court of law.

5. **Meetings of the Board.**—(1) Save as hereinafter provided, the Board shall regulate the procedure for its meetings.

(2) The meetings of the Board shall be called by the Chairman on such date, time and place as he may deem fit:

Provided that not less than one meeting shall be held in every two months.

(3) The Chairman shall preside at every meeting of the Board.

(4) If the Chairman is absent from any meeting, the members present shall elect one from amongst themselves to preside at the meeting; and the member so elected shall at that meeting exercise all the powers of the Chairman.

6. **Vesting of evacuee trust property.**—All evacuee trust property shall vest in the Federal Government.

7. **Trust Pool.**—For the purposes of management, maintenance and disposal of evacuee trust property a Trust Pool consisting of the following shall be constituted, namely:—

(a) all evacuee trust property which immediately before the commencement of this Act formed part of the Trust Pools constituted under the Acts;

(b) any evacuee property declared under section 8 to be evacuee trust property;

(c) Government property or any other property exchanged with any evacuee trust property;

(d) any property purchased or constructed by the Board;

(e) sale proceeds of any evacuee trust property;

(f) all profits and income received or derived from any evacuee trust property;

(g) all rents and other amounts received, realized or recoverable in respect of evacuee trust property.

8. **Declaration of property as evacuee trust property.**—(1) If a question arises whether an evacuee property is attached to a charitable, religious or educational trust or institution or not, it shall be decided by the Chairman whose decision shall be final and shall not be called in question in any Court.

(2) If the decision of the Chairman under sub-section (1) is that an evacuee property is evacuee trust property, he shall, by notification in the official Gazette, declare such property to be evacuee trust property.

(3) If a property is declared to be evacuee trust property under sub-section (2), the Chairman may pass an order cancelling the allotment or alienation, as the case may be, take possession and assume administrative control, management and maintenance thereof:

Provided that no declaration under sub-section (2) or order under sub-section (3) shall be made or passed in respect of any property without giving the persons having interest in that property a reasonable opportunity of being heard.

9. **Exemption of property in Trust Pool from process.**—No evacuee trust property shall be liable to be proceeded against for any claim in any manner whatsoever in execution of any decree or order or by any other process of court or other authority.

10. **Validation of certain transfers.**—(1) An immovable evacuee trust property,—

(a) if situated in a rural area and utilised *bona fide* under any Act prior to June, 1964, for allotment against the satisfaction of verified claims; and

(b) if situated in an urban area and utilised *bona fide* under any Act for transfer against the satisfaction of verified claims in respect of which Permanent Transfer Deeds were issued prior to June, 1968,

shall be deemed to have been validly transferred by sale to the Chief Settlement Commissioner, and the sale proceeds thereof shall be re-imbursed to the Board and shall form part of the Trust Pool.

(2) If a question arises whether a transaction referred to in sub-section (1) is *bona fide* or not, it shall be decided by the Chairman whose decision shall be final and shall not be called in question in any Court.

(3) If it is decided that a transaction referred to in sub-section (1) is not *bona fide*, the Chairman may pass an order cancelling the allotment or transfer of such property:

Provided that no decision under sub-section (2) or order under sub-section (3) shall be taken or passed in respect of any property without giving the person affected a reasonable opportunity of being heard.

11. Appointment and functions of Secretary.—(1) The Federal Government shall appoint a person to be Secretary to the Board on such terms and conditions as it may determine.

(2) Subject to the provisions of this Act, the Secretary shall discharge his functions and perform his duties under the general superintendence and control of the Chairman.

12. Appointment and duties of officers and staff.—(1) The Chairman may, with the prior approval of the Federal Government and on such terms and conditions as the Board may determine, appoint Administrators, Deputy Administrators and Assistant Administrators, and may also appoint such other officers and staff as may be necessary for the efficient performance of the functions of the Board.

(2) The Chairman may, by general or special order, provide for the distribution or allocation of work to be performed by the persons appointed under sub-section (1).

13. **Officers and staff to be public servants.**—All persons appointed under this Act, shall, subject to any special contract to the contrary, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

14. Bar of jurisdiction.—Save as otherwise provided in this Act, no civil court shall have jurisdiction in respect of any matter which the Federal Government or an officer appointed under this Act is empowered under this Act to determine, and no injunction, process or order shall be granted or issued by any court or other authority in respect of any action taken or to be taken in exercise of any power conferred by or under this Act.

15. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Federal Government, the Board or any person appointed under this Act in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rules, scheme or order made thereunder.

16. Appeal.—Save as otherwise provided in this Act, any person aggrieved by an order passed under this Act may, within fifteen days of the passing of such order, prefer an appeal—

(a) in the case of an order passed by an Assistant Administrator or a Deputy Administrator, to the Administrator ; and

(b) in the case of an order passed by an administrator, not being an order passed in appeal by the Administrator confirming an order of an Assistant Administrator or a Deputy Administrator, to the Chairman.

17. Revision.—The Federal Government may at any time, of its own motion or otherwise, call for the record of any case or proceedings under this Act, which is pending or in which the Chairman, an Administrator, a Deputy Administrator or an Assistant Administrator has passed an order, for the purpose of satisfying itself as to the correctness, legality or propriety of such an order, and may pass such order in relation thereto as the Federal Government thinks fit :

Provided that the record of any case or proceedings in which the Chairman, an Administrator, a Deputy Administrator or an Assistant Administrator has passed an order shall not be called for under this section on the application of any aggrieved person made after the expiration of fifteen days from the date of such order.

18. **Power to transfer cases.**—The Chairman may, at any stage, by order in writing, transfer a case pending before an Administrator or a Deputy Administrator or an Assistant Administrator to any other Administrator, Deputy Administrator or Assistant Administrator, as the case may be, and the officer to whom it is so transferred may, subject to such direction, if any, as may be given in the order of transfer, proceed from the stage at which the case was so transferred.

19. **Computation of limitation.**—In computing the period of limitation provided for in sections 16 and 17 the provisions of sections 5 and 12 of the Limitation Act, 1908 (IX of 1908), shall apply.

20. **Form of appeal or revision.**—An appeal under section 16 and an application for revision shall be presented in such form and manner as may be specified by rules.

21. **Power of Chairman etc., as civil court.**—(1) The Federal Government or any person authorised by it, the Chairman and every officer appointed under this Act shall, for the purposes of making any enquiry or hearing any appeal or revision under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908), when trying a suit in respect of the following matters, namely :—

(a) summoning and enforcing the attendance of any person and examining him on oath ;

(b) requiring the discovery and production of any documents ;

(c) requisitioning any public record from any court or office ;

(d) issuing commissions for the examination of witnesses ;

(e) appointing guardians or next friends of persons who are minors or of unsound mind ;

(f) adding legal representatives of deceased applicants or claimants, as parties ;

(g) restoration of cases dismissed for default ;

(h) substituting the names of the rightful claimants ;

(i) consolidation of cases ;

(j) any other matter which may be prescribed by rules made under this Act.

(2) The Chairman and every officer appointed under this Act shall be deemed to be a court for the purposes of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898), and any proceedings before the Chairman or any such officer shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860) and for the purposes of sections 196, 199 and 200 thereof.

22. **Penalty for concealment of evacuee trust property.**—Any person who is in occupation or possession of any property which he knows or has reason to believe to be an evacuee trust property and conceals or misrepresents facts regarding such property or misappropriates the proceeds of such property or abets such concealment, misrepresentation or misappropriation shall be punishable with imprisonment for a term which may extend to three years and with fine.

23. **Cognizance of offence by courts.**—No court shall take cognizance of an offence punishable under this Act save upon a complaint in writing made by the Federal Government or an officer appointed under this Act.

24. **Recovery of arrears.**—Any sum due to the Board in respect of any evacuee trust property which is not paid within thirty days of its having become due shall be recoverable as an arrear of land revenue.

25. **Ejectment.**—The Chairman, an Administrator, a Deputy Administrator, or an Assistant Administrator may eject or cause to be ejected any person in possession or occupation of any evacuee trust property whose possession or occupation is not authorised by or under any of the provisions of this Act or who contravenes or may have contravened any of the terms and conditions under which the property is held by him, or who has failed to pay public dues, or has wilfully caused damage to any such property or any person in occupation or possession of any evacuee trust property which is required for an object which is considered to be a public purpose by the Federal Government, after giving him notice, and for the purposes of such ejectment may use or cause to be used such force as may be considered necessary.

26. **Delegation of powers.**—(1) The Federal Government may, by notification in the official Gazette, delegate any of its powers under this Act to such authority or person and subject to such conditions, if any, as may be specified in the notification.

(2) Subject to the provisions of this Act and the rules, the Board may by resolution delegate all or any of its powers to the Chairman, or any officer or authority, subject to such conditions, if any, as may be specified in the resolution.

(3) Subject to the provisions of this Act and the rules the Chairman may by order in writing delegate all or any of his powers under this Act to an Administrator, a Deputy Administrator or an Assistant Administrator subject to such conditions, if any, as may be specified in the order.

(4) Any order passed by an Administrator, a Deputy Administrator or an Assistant Administrator, in exercise of any power delegated to him under sub-section (3), shall be subject to the provisions of sections 16 and 17 in the same manner and to the same extent as any other order passed by an Administrator, a Deputy Administrator or an Assistant Administrator, as the case may be, is so subject.

27. **Appearance by counsel or agent.**—Any person who is entitled or required to attend before the Chairman or any other authority in connection with any proceeding under this Act, otherwise than when called upon to attend personally for examination on oath or affirmation, may attend or be represented by his duly authorised agent, and any application, appeal or revision may be presented by counsel or such agent.

Explanation.—In this section, "counsel" means an advocate or any person entitled or allowed to plead in any civil court.

28. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

29. **Power to make regulations.**—The Board may with the approval of the Federal Government, make regulations regarding appointments, promotions, conditions of service, pensionary and other benefits in respect of the officers and staff of the Board.

30. **Preparation of scheme for management etc.**—Subject to the provisions of this Act and the rules, the Board shall, with the prior approval of the Federal Government, prepare one or more schemes for the management, maintenance and disposal of evacuee trust property and for the efficient performance of its functions.

31. **Act to override other laws.**—The provisions of this Act and any rule or scheme or order made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law.

32. **Savings.**—Anything done, action taken, appointment made, order passed, rule or scheme made, notification or instruction issued, or purporting to have been done, taken, made, passed or issued by or under the provisions of either Act immediately before the commencement of this Act shall be deemed to have been done, taken, made, passed or issued under this Act and shall have effect accordingly.

33. **Repeal.**—The Evacuee Trust Properties (Management and Disposal) Ordinance, 1974 (XVI of 1974), is hereby repealed.

ASLAM ABDULLAH KHAN,
Secretary.

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ISLAMABAD, TUESDAY, JANUARY 28, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 28th January, 1975

The following Act of Parliament received the assent of the President on the 28th January, 1975, and is hereby published for general information :—

ACT No. XIV OF 1975

An Act to repeal certain laws relating to evacuee property and rehabilitation of displaced persons

WHEREAS it is expedient to repeal certain laws relating to evacuee property and the rehabilitation of displaced persons ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Evacuee Property and Displaced Persons Laws (Repeal) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the first day of July, 1974.

2. **Repeal of certain laws.**—(1) The following Acts and Regulations are hereby repealed, namely :—

(i) the Registration of Claims (Displaced Persons) Act, 1956 (III of 1956),

(ii) the Pakistan Rehabilitation Act, 1956 (XLII of 1956),

(iii) the Pakistan (Administration of Evacuee Property) Act, 1957 (XII of 1957),

(iv) the Displaced Persons (Compensation and Rehabilitation) Act, 1958 (XXVIII of 1958),

(v) the Displaced Persons (Land Settlement) Act, 1958 (XLVII of 1958),

Price : Ps. 13

[1268 Ex. Gaz.]

(vi) the Scrutiny of Claims (Evacuee Property) Regulation, 1961, and

(vii) the Price of Evacuee Property and Public Dues (Recovery) Regulation, 1971.

(2) Upon the repeal of the aforesaid Acts and Regulations, all proceedings which, immediately before such repeal, may be pending before the authorities appointed thereunder shall stand transferred for final disposal to such officers as may be notified by the Provincial Government in the official Gazette and all cases decided by the Supreme Court or a High Court after such repeal which would have been remanded to any such authority in the absence of such repeal shall be remanded to the officers notified as aforesaid.

(3) Any proceedings transferred or remanded to an officer in pursuance of sub-section (2) shall be disposed of by him in accordance with the provisions of the Act or Regulation hereby repealed to which the proceedings relate.

(4) The final orders passed under sub-section (3) shall be executed by the Board of Revenue of the Province in accordance with the provisions of the Act or Regulation hereby repealed to which the proceedings related.

3. **Transfer of property.**—(1) All properties, both urban and rural, including agricultural land, other than such properties attached to charitable, religious or educational trusts or institutions, whether occupied or unoccupied, which may be available for disposal immediately before the repeal of the aforesaid Acts and Regulations, or which may become available for disposal after such repeal as a result of a final order passed under sub-section (3) of section 2, shall stand transferred to the Provincial Government, on payment of such price as may be fixed by the Federal Government in consultation with the Provincial Government, for disposal—

(a) in the case of urban properties, by the Provincial Government under a scheme to be prepared by it in this behalf; and

(b) in the case of rural properties, by the Board of Revenue of the Province under a scheme to be prepared by the Provincial Government in this behalf :

Provided that agricultural land occupied by any person continuously for four harvests immediately preceding Kharif 1973 shall first be offered for sale to such person unless an order of ejectment has been passed against him in respect of such land :

Provided further that only so much land shall be offered to such person as does not together with land already held by him, exceed a subsistence holding within the meaning of the Land Reforms Regulation, 1972.

(2) The agricultural land temporarily allotted under any of the aforesaid Acts or Regulations to a displaced person from Jammu and Kashmir State or to such other person as the Federal Government may determine who is not in cultivating possession of the allotted land, shall be offered for sale to such allottee unless an order of cancellation of allotment has been passed against him in respect of such land :

Provided that only so much land shall be offered to such allottee as does not, together with land already held by him, exceed a subsistence holding within the meaning of the Land Reforms Regulation, 1972 :

Provided further that the temporary allottee or other person who purchases the land so offered to him shall not eject the tenant from such land except on the ground that he has failed to pay rent in accordance with the terms of his tenancy :

Provided further that, in the event of a displaced person from Jammu and Kashmir State or any of his successors-in-interest being repatriated to that State, he shall pay to the Provincial Government the price of the land held by him at the rate ascertained by that Government.

4. **Disposal of residual work.**—All the work regarding documentation, both for urban and rural properties, recovery of outstanding transfer price, rent or mortgage money of such property already disposed of and discharge of miscellaneous liabilities out of these recoveries, which may remain pending immediately before the repeal of the aforesaid Acts and Regulations shall stand transferred to the Board of the Revenue of the Province.

5. **Power to make rules.**—The Provincial Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

6. **Repeal.**—The Evacuee Property and Displaced Persons Laws (Repeal) Ordinance, 1974 (Ordinance XV of 1974) is hereby repealed.

ASLAM ABDULLAH KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 3rd February, 1975

The following Act of Parliament received the assent of the President on the 1st February, 1975, and is hereby published for general information :—

ACT NO. XV OF 1975

An Act to provide for suppression of acts of sabotage, subversion and terrorism

WHEREAS it is expedient to make special provisions for the purposes of suppressing acts of sabotage, subversion and terrorism and to provide for speedy trial of offences committed in furtherance of or in connection with such acts ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Suppression of Terrorist Activities (Special Courts) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898) ;

(b) "scheduled offence" means an offence specified in the Schedule ; and

(c) "Special Court" means a Special Court constituted under section 3.

Price : Ps. 13

[1339 Ex. Gaz]

3. Constitution of Special Courts.—(1) The Federal Government may, by notification in the official Gazette, constitute, for the whole or any part of Pakistan, Special Courts consisting of a person who—

(a) has been, or is, or is qualified for appointment as, Judge of a High Court ; or

(b) has, for a total period of not less than three years, exercised, whether continuously or not, the powers under the Code, of a Sessions Judge or an Additional Sessions Judge.

(2) If so directed by the Federal Government, the Provincial Government shall constitute a Special Court or Courts each consisting of a person who is qualified under sub-section (1) to be appointed as Special Court.

(3) A Special Court shall sit at such place as the Government constituting it may, by notification in the official Gazette, specify in this behalf.

4. Jurisdiction of Special Court.—(1) Notwithstanding anything contained in the Code, the scheduled offences shall be triable exclusively by a Special Court :

Provided that this section shall not be construed to require the transfer to a Special Court of any case which may be pending in any court immediately before the constitution of the Court.

(2) If, in the course of a trial before the Special Court, the Court is of opinion that any of the offences which the accused is alleged to have committed is not a scheduled offence, the Court shall record such opinion and try the accused only for such offence, if any, as is a scheduled offence.

5. Procedure of Special Court.—(1) A Special Court may take cognizance of a scheduled offence without the accused being committed to it for trial.

(2) A Special Court shall not be bound to adjourn any trial for any purpose unless such adjournment is, in its opinion, necessary in the interests of justice.

(3) A Special Court shall not, merely by reason of a change in its composition, be bound to recall and rehear any witness who has given evidence, and it may act on the evidence already recorded by or produced before it.

(4) After an accused person has once appeared before it, a Special Court may try him in his absence if, in its opinion—

(a) such absence is deliberate and brought about with a view to impeding the course of justice, or

(b) the behaviour of the accused in court has been such as to impede the course of justice and the Court has on that account ordered his removal from the court.

(5) An accused who is tried in his absence under sub-section (4) shall be deemed not to have admitted commission of the offence stated to have been committed by him.

(6) An accused person shall not be released on bail by a Special Court, or by any other court, if there appear reasonable grounds for believing that he has been guilty of a scheduled offence ; nor shall an accused person be so released unless the prosecution has been given notice to show cause why he should not be so released.

(7) A Special Court shall, in all matters with respect to which no procedure has been prescribed by this Act, follow the procedure prescribed by the Code for the trial of summons cases by Magistrates.

6. **Powers of Special Court.**—A Special Court may pass any sentence authorised by law, and shall have all the powers conferred by the Code on a court of session exercising original jurisdiction.

7. **Appeals from sentences imposed by Special Court, etc.**—(1) A person sentenced by a Special Court shall have a right of appeal to the High Court within whose jurisdiction the sentence has been passed, but save as aforesaid and notwithstanding the provisions of the Code or of any other law for the time being in force or of anything having the force of law by whatsoever authority made or done, no court shall have authority to revise such sentence, or to transfer any case from a Special Court or to make any order under section 426 or section 491 or section 498 of the Code, or have any jurisdiction of any kind in respect of any proceedings of a Special Court.

(2) An appeal under sub-section (1) shall be preferred to the High Court within thirty days of the passing of the sentence and shall be heard and decided by a Bench of not less than two Judges of the High Court.

(3) Chapter XXIX of the Code shall apply to the suspension, remission and commutation of sentences passed by a Special Court.

8. **Burden of proof.**—Where any person accused of having committed a scheduled offence is found to be in possession of, or to have under his control, any article or thing which is capable of being used for, or in connection with, the commission of such offence, or is apprehended, in circumstances which tend to raise a reasonable suspicion that he has committed such offence, he shall be presumed to have committed the offence unless he can prove that he had not in fact committed the offence.

9. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

10. **Act to override other laws.**—The provisions of this Act shall have effect notwithstanding anything contained in the Code or in any other law for the time being in force.

11. **Repeal.**—The Suppression of Terrorist Activities (Special Court) Ordinance, 1974 (XVIII of 1974), and the Suppression of Terrorist Activities (Special Court) (Amendment) Ordinance, 1974 (XXIV of 1974), are hereby repealed.

THE SCHEDULE

[*See* section 2 (b)]

(a) Any offence punishable under any of the following sections of the Pakistan Penal Code (XLV of 1860), namely :—

(i) sections 121, 121A, 122, 123, 123A, 400 and 431 ;

~~(ii) section 216, if committed in relation to an offender who is accused of having committed any of the offences specified in this Schedule ;~~

(iii) sections 392, 393, 394, 395, 396, 397, 398 and 399, if a cannon, grenade, bomb, rocket or an arm of a prohibited bore is used for, or any public property is stolen, destroyed or damaged in, the commission of the offence ; or

(iv) sections 435, 436, 437, 438 and 440, if an explosive substance, mineral oil or any product of mineral oil is used for the commission of the offence ;

(b) Any offence punishable under the Explosive Substances Act, 1908 (XI of 1908) ;

(c) Any offence punishable under the Arms Act, 1878 (XI of 1878), or any offence punishable under any of the following sections of the West Pakistan Arms Ordinance, 1965 (W. P. Ordinance No. XX of 1965), namely, sections 8, 9 and 10, if committed in respect of a cannon, grenade, bomb or rocket ;

(d) Any offence punishable under any of the following sections of the Railways Act, 1890 (IX of 1890), namely, sections 126, 127 and 128 ;

(e) Any offence punishable under section 25 of the Telegraph Act, 1885 (XIII of 1885) ;

(f) Any offence punishable under rule 29 of the Aircraft Rules, 1937 ;

(g) Any offence punishable under rule 43 of the Defence of Pakistan Rules ;

(h) Any offence punishable under sub-section (1) of section 13 of the Prevention of Anti-National Activities Act, 1974 (VII of 1974), if such offence constitutes anti-national activity within the meaning of sub-clause (i) or sub-clause (ii) of caluse (a) of section 2 of that Act ; and

(i) Any attempt or conspiracy to commit, or any abetment of, any of the aforesaid offences.

ASLAM ABDULLAH KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulation's

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 10th February, 1975

The following Act of Parliament received the assent of the President on the 6th February, 1975, and is hereby published for general information :—

ACT No. XVI OF 1975

An Act further to amend the Industrial Relations Ordinance, 1969

WHEREAS it is expedient further to amend the Industrial Relations Ordinance, 1969 (XXIII of 1969), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Industrial Relations (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General.**—In the Industrial Relations Ordinance, 1969 (XXIII of 1969), hereinafter referred to as the said Ordinance, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted and shall be deemed to have been so substituted on the 14th August, 1973.

3. **Amendment of section 2, Ordinance XXIII of 1969.**—In the said Ordinance, in section 2,—

(a) after clause (v), the following new clauses shall be inserted namely :—

"(va) "collective bargaining unit" means those workers or class of workers of an employer in one or more establishments falling within the same class of industry whose terms and conditions of employment are, or could, appropriately be, the subject of collective bargaining together ;

Price : Ps. 25

[1414 Ex. Gaz.]

(vaa) "Commission" means the National Industrial Relations Commission constituted under section 22A ;" ;

(b) in clause (ix), after the word "industry" at the end, the words and commas "and, except in section 22EE, includes a collective bargaining unit, if any, constituted under that section in any establishment or group of establishments" shall be added ;

(c) in clause (xiii), after the word "person" at the end, the words and commas "and is not in respect of the enforcement of any right guaranteed or secured to him by or under any law, other than this Ordinance, or any award or settlement for the time being in force" shall be added ; and

(d) after clause (xxvii), the following new clause shall be inserted, namely :—

"(xxviia) "Wage Commission" means a Wage Commission constituted under section 38A ;".

4. **Amendment of section 10, Ordinance XXIII of 1969.**—In the said Ordinance, in section 10,—

(a) in sub-section (1),—

(i) in clause (i), after the word "contravened", the commas and words ", or has been registered in contravention of," shall be inserted ;

(ii) in clause (iii), for the semi-colon and word "; or" a full stop shall be substituted ; and

(iii) clause (iv) shall be omitted ; and

(b) after sub-section (2), the following new sub-section shall be added, namely :—

"(3) The registration of a trade union shall be cancelled by the Registrar if, after holding such inquiry as he deems fit, he finds that such trade union has dissolved itself or has ceased to exist.".

5. **Substitution of section 11, Ordinance XXIII of 1969.**—In the said Ordinance, for section 11 the following shall be substituted, namely :—

"11. *Appeal against cancellation.*—Any trade union aggrieved by a decision given—

(a) by the Labour Court under sub-section (1) or sub-section (2) of section 10, may appeal to the Tribunal, or

(b) by the Registrar under sub-section (3) of section 10, may appeal to the Labour Court.".

6. **Amendment of section 13, Ordinance XXIII of 1969.**—In the said Ordinance, in section 13,—

(a) for clause (b) the following shall be substituted, namely :—

"(b) to lodge, or authorise any person to lodge, complaints with the Labour Court or Commission for action, including prosecution, against trade unions, employers, workers or other persons for any alleged offence or any unfair labour practice or violation of any provision of this Ordinance or for expending the funds of a trade union in contravention of the provisions of its constitution ; " ; and

(b) in clause (c), the word " and " at the end shall be omitted and thereafter the following new clause shall be inserted, namely :—

" (cc) to inspect the accounts and records of the registered trade unions, or investigate or hold such inquiry as he deems fit, either himself or through any officer subordinate to, and authorised in writing in this behalf by, him ; and ".

7. **Amendment of section 15, Ordinance XXIII of 1969.**—In the said Ordinance, in section 15, in sub-section (1),—

(a) in clause (f), for the words " compel any officer of the collective bargaining agent to sign a memorandum of " the words " compel or attempt to compel any officer of the collective bargaining agent to arrive at a " shall be substituted ; and

(b) in clause (h), for the full stop at the end a semi-colon shall be substituted, and thereafter the following new clauses shall be added, namely :—

" (i) close down the whole of the establishment in contravention of Standing Order 11A of the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (West Pakistan Ordinance No. VI of 1968) ; or

(j) commence, continue, instigate or incite others to take part in, or expend or supply money or otherwise act in furtherance or support of, an illegal lock-out. ".

8. **Amendment of section 16, Ordinance XXIII of 1969.**—In the said Ordinance, in section 16, in sub-section (1),—

(a) for the words " trade union of workmen and no person acting on behalf of such trade union " the words " other person or trade union of workmen " shall be substituted :

(b) in clause (c), after the word " by " occurring for the first time, the words " intimidating or " shall be inserted ; and

(c) for clause (d) the following shall be substituted, namely :—

" (d) compel or attempt to compel the employer to accept any demand by using intimidation, coercion, pressure, threat, confinement to, or ouster from, a place, dispossession, assault, physical injury, disconnection of telephone, water or power facilities or such other methods ;

(e) commence, continue, instigate or incite others to take part in, or expend or supply money or otherwise act in furtherance or support of, an illegal strike or a go-slow.

Explanation.—In this clause, ' go-slow ' means an organized, deliberate and purposeful slowing down of normal output, or the deterioration of the normal quality, of work by a body of workmen acting in a concerted manner, but does not include the slowing down of normal output, or the deterioration of the normal quality, of work which is due to mechanical defect, break-down of machinery, failure or defect in power supply or in the supply of normal materials and spare parts of machinery. ".

9. **Amendment of section 17, Ordinance XXIII of 1969.**—In the said Ordinance, in section 17, for the word " determined " the word " certified " shall be substituted.

10. **Amendment of section 22, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22,—

(a) in sub-section (1), for the words " be deemed " the words " upon an application made in this behalf be certified by the Registrar in the prescribed manner " shall be substituted ;

(b) in sub-section (2), in the proviso, for the full stop a colon shall be substituted and thereafter the following new proviso shall be added, namely :—

" Provided further that the Registrar shall not entertain any application under this sub-section in respect of an establishment or group of establishments, consisting of, or including, a seasonal factory within the meaning of section 4 of the Factories Act, 1934 (XXV of 1934), unless such application is made during the month in which the number of workmen employed in such factory in a year is usually the maximum." ;

(c) in sub-section (9),—

(i) in clause (e), for the word " declare " the word " certify " shall be substituted ; and

(ii) in the proviso, for the word " declared " the word " certified " and for the full stop at the end a colon shall be substituted and thereafter the following new provisos shall be inserted, namely :—

" Provided further that, if no trade union secure such number of votes in the first poll, a second poll shall be held between the trade unions which secure the two highest numbers of votes in the first poll and the trade union which secures a majority of the votes cast at the second poll shall be certified in the prescribed manner to be the collective bargaining agent :

Provided further that, if the number of votes secured by two or more trade unions securing the highest number of votes is equal, further poll shall be held between them until one of them secures a majority of the votes cast at such further poll. " ;

(d) after sub-section (9) amended as aforesaid, the following new sub-section shall be inserted, namely :—

" (9a) If no trade union indicates under clause (a) of sub-section (3) that it desires to be a contestant in the secret ballot, the Registrar shall certify the trade union which has made the application under sub-section (2) to be the collective bargaining agent. " ;

(e) in sub-section (10), for the word " declared " the word " certified " and for the word " declaration " the word " certification " shall be substituted ; and

(f) in sub-section (12), in clause (a), after the word "work" at the end, the words and commas "other than matters which relate to the enforcement of any right guaranteed or secured to it or any workman by or under any law, other than this Ordinance, or any award or settlement" shall be added.

11. **Amendment of section 22A, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22A,—

(a) in sub-section (1), the comma and words ", hereafter referred to as the Commission" shall be omitted;

(b) in sub-section (8), for clauses (f) and (g) the following shall be substituted and shall be deemed always to have been so substituted, **namely:—**

"(f) to try offences of unfair labour practices punishable under—

(i) section 53, other than sub-sections (1) and (5) thereof; and

(ii) any other section, in so far as they relate to employers or workers in relation to an industry-wise trade union, a federation of such trade unions, a federation at the national level or officers of such union or federation;

(g) to deal with cases of unfair labour practices specified in sections 15 and 16 on the part of employers, workmen, trade unions of either of them or persons acting on behalf of any of them, whether committed individually or collectively, in the manner laid down under section 25A or section 34 or in such other way as may be prescribed, and to take, in such manner as may be prescribed by regulations under section 22F, measures calculated to prevent an employer or workman from committing an unfair labour practice;";

(c) for sub-section (9) the following shall be substituted and shall be deemed always to have been so substituted, namely:—

"(9) The Commission may, on the application of a party, or of its own motion,—

(a) initiate prosecution, trial or proceedings, or take action, with regard to any matter relating to its functions; and

(b) withdraw from a Junior Labour Court or Labour Court any application, proceedings or appeal relating to unfair labour practice."; and

(d) in sub-section (10a), after the word "it" at the end, the words "and grant such relief as the Commission has the power to grant" shall be substituted and shall be deemed always to have been so substituted.

12. **Amendment of section 22B, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22B, in sub-section (3), in clause (a),—

(i) after the word "for", occurring for the first time, the words and comma "trial of offences, or" shall be inserted; and

(ii) the words, figures, letter and commas "in respect of proceedings under section 25A or, as the case may be, section 34" shall be omitted.

13. **Amendment of section 22D, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22D,—

(a) in sub-section (1),—

(i) for the word "sentence", occurring for the first time, the words "a sentence or order determining and certifying a collective bargaining unit" shall be substituted; and

(ii) for the words "or sentence", occurring for the second time, the comma and words ", sentence or order" shall be substituted; and

(b) for sub-section (2) the following shall be substituted, namely:—

"(2) An appeal preferred to the Commission under sub-section (1) shall be disposed of by the Full Bench of the Commission which shall,—

(a) if the appeal is from an order determining and certifying a collective bargaining unit, have the power to confirm, set aside, vary or modify such an order; and

(b) if the appeal relates to any other matter, have the same power in relation to the appeal as the Labour Court, the Tribunal or the High Court, as the case may be, would have had if the matter to which the appeal relates were a matter in relation to which an appeal can be preferred to the Labour Court, the Tribunal or the High Court.".

14. **Amendment of section 22E, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22E, after the word and comma "order,", the word and comma "decision," shall be inserted.

15. **Insertion of new section 22EE, Ordinance XXIII of 1969.**—In the said Ordinance, after section 22E, amended as aforesaid, the following new section shall be inserted, namely:—

"22EE. **Determination, etc., of collective bargaining unit.**—(1) Where the Commission, on an application made in this behalf, by a trade union of workmen or a federation of such trade unions, or on a reference made by the Federal Government, after holding such inquiry as it deems fit, is satisfied that for safeguarding the interest of the workmen employed in an establishment or group of establishments belonging to the same employer and the same industry, in relation to collective bargaining, it is necessary, just and feasible to determine one or more collective bargaining units of such workmen in such establishment or group, it may, having regard to the distribution of workers, existing boundaries of the components of such establishment or group, facilities of communication, general convenience, sameness or similarity of economic activity and other cognate factors,—

(a) determine and certify one or more collective bargaining units in such establishment or group;

(b) specify the modifications which, in consequence of the decision under this section, will take effect in regard to the registration of the trade unions and federations of trade unions affected by such decision and certification of collective bargaining agents among such unions and federations, nomination or election of shop stewards, and workers' representatives for participation in the management of the factories, if any, affected by such decision ;

(c) specify the date or dates from, and the period for, which all or any of such changes shall take effect :

Provided that the date so specified shall not be a date falling within the period of two years specified in sub-section (10) of section 22 in its application to a collective bargaining agent certified in respect of an establishment or establishments :

Provided further that, after the receipt of a reference for determination of a collective bargaining unit, the Commission may stop or prohibit the proceedings to determine collective bargaining agent under section 22 for any establishment or group of establishments which is likely to be affected by a decision under this section.

(d) take such measures or issue such directions to the Registrar as may be necessary to give effect to such modifications ; and

(e) determine and certify a collective bargaining agent for each such unit in accordance with section 22, in so far as applicable and with the necessary modifications, if such a unit relates to more than one Province, or direct the Registrar to take such action, if such a unit relates to only one Province.

(2) Where the Commission issues any directions to the Registrar under this section, the Registrar shall comply with them within such period as the Commission may from time to time determine.

(3) After the certification of a collective bargaining unit, no trade union shall be registered in respect of that unit except for the whole of such unit and no certification or proceedings for determination of collective bargaining agent under section 22 shall take place for a part of a collective bargaining unit or a group of collective bargaining units.

(4) An order of the Commission under this section shall have effect notwithstanding anything to the contrary contained in this Ordinance. ".

16. **Amendment of section 22F, Ordinance XXIII of 1969.**—In the said Ordinance, in section 22F, in sub-section (2), after clause (a), the following new clause shall be inserted, namely :—

"(aa) determination of collective bargaining units ; ".

17. **Amendment of section 33, Ordinance XXIII of 1969.**—In the said Ordinance, in section 33, for sub-section (1) the following shall be substituted, namely :—

"(1) The Federal Government in the case of a strike or lock-out relating to—

(a) an industrial dispute of national importance, or

(b) an industrial dispute in respect of any of the public utility services, which the Commission is competent to adjudicate and determine, and the Provincial Government in the case of a strike or lock-out relating to an industrial dispute in respect of any of the public utility services which the Commission is not competent to adjudicate and determine, may, by order in writing, prohibit a strike or lock-out at any time before or after the commencement of the strike or lock-out.".

18. **Amendment of section 35, Ordinance XXIII of 1969.**—In the said Ordinance, in section 35, sub-section (6) shall be omitted.

19. **Amendment of section 36B, Ordinance XXIII of 1969.**—In the said Ordinance, in section 36B, after sub-section (5), the following new sub-section shall be added, namely :—

> "(6) Any proceeding before a Junior Labour Court shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860), and a Junior Labour Court shall be deemed to be a civil court for the purposes of sections 195 and 480 of the Code of Criminal Procedure, 1898 (Act V of 1898).".

20. **Insertion of new sections 38A, 38B, 38C, 38D, 38E, 38F, 38G, 38H and 38I Ordinance XXIII of 1969.**—In the said Ordinance, after section 38, the following new sections shall be inserted, namely :—

> "38A. *Wage Commission.*—(1) The Federal Government may, whenever it so considers necessary, by notification in the official Gazette, constitute a Wage Commission for fixing rates of wages and determining all the other terms and conditions of service, in accordance with the provisions of this Ordinance in respect of the workers of a bank or such other workers as the Federal Government may, by notification in the official Gazette, specify.
>
> (2) The Wage Commission shall consist of a Chairman appointed by the Federal Government, who shall be a person who has been or is a Judge of a High Court, and such other members possessing the prescribed qualifications as may be appointed by the Federal Government.
>
> (3) The Wage Commission shall give its decision within a period of six months from the day of its constitution, or within such extended period, not exceeding a further period of six months, as the Federal Government may, by notification in the official Gazette, specify and the decision shall be immediately communicated to the Federal Government.
>
> (4) All questions at a meeting of the Wage Commission shall be determined by a majority of the members present and voting :
>
> Provided that the Chairman shall have a second or a casting vote in the event of an equality of votes.
>
> (5) No act or proceeding of the Wage Commission, whether done or taken before or after the commencement of the Industrial Relations (Amendment) Act, 1974, shall be invalid by reason only of any defect in the constitution of the Wage Commission.

38B. *Fixation of Wages, etc.*—In fixing rates of wages and determining other terms and conditions of service of workers, the Wage Commission may take into consideration the cost of living, the prevalent rates of wages of comparable employments, the circumstances relating to the industry in different regions of the country and any other circumstances which to the Wage Commission may seem relevant.

38C. *Publication, etc., of the decision of the Wage Commission.*—(1) The decision of the Wage Commission shall, within a period of one month from the date of its receipt by the Federal Government, be published in such manner as may be prescribed.

(2) The decision of the Wage Commission published under sub-section (1) shall come into operation on such date as may be specified in the decision, and where no date is so specified, it shall come into operation on the date of its publication and shall remain in force for three years or until it is modified or varied by a later decision of the Wage Commission published in the manner provided in sub-section (1), whichever is later.

(3) No industrial dispute shall be raised in respect of any matter which is under consideration of the Wage Commission nor shall any dispute be raised in respect of any matter on which the decision of that Commission is in operation.

(4) Any industrial dispute in respect of any matter which is under consideration of the Wage Commission which may be pending before the National Industrial Relations Commission or any Labour Court or Tribunal shall abate.

38D. *Decision of Wage Commission to be deemed to be an award of the Commission.*—A decision of the Wage Commission published under section 38C shall be deemed to be an award of the Full Bench of the Commission and the provisions of this Ordinance applicable to such award, including the provisions of sections 51 and 55, so far as may be and with the necessary modifications, shall apply to the decision of the Wage Commission.

38E. *Special powers of the Commission.*—(1) Notwithstanding anything contained in this Ordinance, the Commission shall have power—

(a) to try an offence punishable under section 55, if the offence relates to failure to implement any decision of the Wage Commission ;

(b) of its own motion or on the application of a party, to withdraw from any court (except the Supreme Court or a High Court) any application, proceeding or appeal relating to such an offence and dispose of it ; and

(c) to refer any such application, proceeding or appeal to any competent court for disposal.

(2) Any court to which any application, proceeding or appeal is referred under clause (c) of sub-section (1) shall enquire into it and dispose of the case as if the application or appeal had originally been made to it or, as the case may be, the proceeding had originally commenced before it.

(3) For the trial of an offence referred to in sub-section (1), the Commission shall follow the same procedure and exercise the same powers as it follows and exercises for the trial of an offence under this Ordinance, and the provisions of this Ordinance, other than the provisions of sub-section (9) of section 22A, shall, so far as may be and with the necessary modifications, apply to such trial.

38F. *Powers and procedure of the Wage Commission.*—Subject to any rules of procedure which may be prescribed, the Wage Commission may, for the purpose of fixing rates of wages and determining other terms and conditions of service, exercise the same powers and follow the same procedure, so far as may be and with the necessary modifications, as the Commission may exercise or follow for the purpose of adjudicating an industrial dispute under this Ordinance.

38G. *Decision of the Wage Commission to be binding on all employers.*—The decision of the Wage Commission shall be binding on all employers concerned with the decision in relation to their workers and every such worker shall be entitled to be paid the wages and governed by the terms and conditions determined by the Wage Commission.

38H. *Powers of Wage Commission to fix interim rates of wages, etc.*—(1) Notwithstanding anything contained in this Ordinance, where the Wage Commission is of the opinion that it is necessary so to do, it may, by notification in the official Gazette, fix interim rates of wages and the terms and conditions of service of workers in respect of whom it is constituted.

(2) Any interim rates of wages and the terms and conditions of service so fixed shall be binding on all employers concerned with such fixation in relation to their workers and every such worker shall be entitled to be paid wages at a rate equal to the interim rate of wages and to the terms and conditions of service fixed under sub-section (1).

(3) Any interim rate of wages and the terms and conditions of service fixed under sub-section (1) shall remain in force until the decision of the Wage Commission comes into operation under sub-section (2) of section 38C.

38I. *Effect of laws and agreements inconsistent with sections 38A, 38B, 38C, 38D, 38E, 38F, 38G and 38H.*—The provisions of sections 38A, 38B, 38C, 38D, 38E, 38F, 38G and 38H shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any award, agreement or contract of service, whether made before or after the coming into force of the Industrial Relations (Amendment) Ordinance, 1974.".

21. **Amendment of section 46, Ordinance XXIII of 1969.**—In the said Ordinance, in section 46, in sub-section (1), in clause (c), for the words and figure "or section 45" the comma, words, figures, brackets and letter ", section 45 or sub-section (3) of section 46A" shall be substituted.

22. **Amendment of section 46A, Ordinance XXIII of 1969.**—In the said Ordinance, in section 46A, in sub-section (7), after the word "workers" occurring for the second time, the following shall be inserted, namely :—

"; and, notwithstanding anything to the contrary contained in this Ordinance, if the Court, after holding such inquiry as it deems fit, records its finding that any registered trade union has committed or abetted the commission of such contravention, the finding shall have the effect of cancellation of the registration of such trade union and debarring all officers of such trade union from holding office in that or in any other trade union for the unexpired term of their offices and for the term immediately following".

23. **Amendment of section 47A, Ordinance XXIII of 1969.**—In the said Ordinance, in section 47A, for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :—

"Provided that the Labour Court may, subject to such conditions as it may impose, cause to be removed any such fixed assets for safe custody to avoid damage to such assets due to flood, fire, catastrophe or civil commotion.".

24. **Amendment of section 52, Ordinance XXIII of 1969.**—In the said Ordinance, in section 52, for the word "ascertained" the word "certified" shall be substituted.

25. **Amendment of section 53, Ordinance XXIII of 1969.**—In the said Ordinance, in section 53,—

(a) in sub-section (1A), for the word "five" the word "ten" shall be substituted;

(b) in sub-section (2),—

(i) for the words "any workman who contravenes the provisions of section 16" the words, figures, commas, brackets and letter "Whoever contravenes the provisions of section 16, other than those of clause (d) of sub-section (1) thereof," shall be substituted; and

(ii) for the word "two" the word "five" shall be substituted; and

(c) after sub-section (6), the following new sub-section shall be added, namely :—

"(7) Notwithstanding anything to the contrary contained in any law, custom, usage, constitution of a trade union, memorandum and articles of association of a company or agreement, no fine paid or payable due to conviction under this Ordinance shall be debitable against the accounts of any establishment.".

26. **Omission of sections 57, 58 and 59, Ordinance XXIII of 1969.**—In the said Ordinance, sections 57, 58 and 59 shall be omitted.

27. **Amendment of section 62A, Ordinance XXIII of 1969.**—In the said Ordinance, in section 62A, after the word "Ordinance" at the end the words, brackets, figures and letter "other than the offence of illegal strike or illegal lock-out continued in contravention of an order made under sub-section (3) of section 46A" shall be added.

28. **Amendment of section 64, Ordinance XXIII of 1969.**—In the said Ordinance, in section 64, for the word "No" the words and comma "Save as provided in this Ordinance, no" shall be substituted.

29. **Amendment of section 66, Ordinance XXIII of 1969.**—In the said Ordinance, in section 66, in sub-section (1), after the word "Commission", the words "and the Wage Commission" shall be inserted.

30. **Repeal.**—The Industrial Relations (Amendment) Ordinance, 1974 (XIX of 1974), is hereby repealed.

ASLAM ABDULLAH KHAN,
Secretary.

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ISLAMABAD, TUESDAY, FEBRUARY 11, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 11th February, 1975

The following Acts of Parliament received the assent of the President on the 11th February, 1975, and are hereby published for general information :—

ACT No. XVII OF 1975

An Act to amend the Members of the National Assembly (Exemption from Preventive Detention and Personal Appearance) Ordinance, 1963

WHEREAS it is expedient to amend the Members of the National Assembly (Exemption from Preventive Detention and Personal Appearance) Ordinance, 1963, for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title.**—This Act may be called the Members of the National Assembly (Exemption from Preventive Detention and Personal Appearance) (Amendment) Act, 1975.

2. **Amendment of section 3 of Ordinance IX of 1963.**—In the Members of the National Assembly (Exemption from Preventive Detention and Personal Appearance) Ordinance, 1963, in section 3, for sub-section (2) the following shall be substituted and shall be deemed to have ben so substituted on the eighth day of February, 1975, namely :—

> "(2) Nothing in sub-section (1) shall be construed as applying to any Member who is detained under any such law as is referred to in sub-section (1)—
>
> (a) at any time during the period commencing on the fifteenth day next after the conclusion of a session and ending on the 15th day before the commencement of the next session ; or
>
> (b) for reasons of State connected with defence, external affairs, or the security of Pakistan or any part thereof.".

Price : Ps. 6

[1433 Ex. Gaz.]

ACT No. XVIII OF 1975

An Act to amend certain Provincial laws relating to the privileges of the Members of the Provincial Assemblies

WHEREAS it is expedient to amend certain Provincial laws relating to the privileges of the Members of the Provincial Assemblies for the purpose hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan is in force ;

It is hereby enacted as follows :—

1. **Short title.**—This Act may be called the Members of Provincial Assemblies' Privileges (Amendment) Act, 1975.

2. **Definition.**—In this Act, " Provincial laws " mean—

(a) the Provincial Assembly of Baluchistan Privileges Act, 1973 (Baluchistan Act No. VII of 1973) ;

(b) the Provincial Assembly of the North-West Frontier Province Privileges Act, 1973 (N. W. F. P. Act No. XVII of 1973) ;

(c) the Provincial Assembly of the Punjab Privileges Act, 1972 (Punjab Act No. II of 1972) ; and

(d) the Provincial Assembly of Sind Privileges Act, 1972 (Sind Act No. VI of 1972).

3. **Amendment of section 4 of the Provincial laws.**—In each of the Provincial laws, in section 4, in sub-section (2), for clause (a) the following shall be substituted and shall be deemed to have been so substituted on the eighth day of February, 1975, namely :—

" (a) applying to any Member detained under any such law as is referred to therein—

(i) at any time during the period commencing on the fifteenth day next after the conclusion of a session of the Assembly and ending on the fifteenth day before the commencement of the next session ; or

(ii) for reasons of State connected with defence, external affairs, or the security of Pakistan or any part thereof ; or ".

ASLAM ABDULLAH KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 12th February, 1975

The following Act of Parliament received the assent of the President on the 4th February, 1975, and is hereby published for general information :—

ACT NO. XIX OF 1975

An Act further to amend the Pakistan Tobacco Board Ordinance, 1968

WHEREAS it is expedient further to amend the Pakistan Tobacco Board Ordinance, 1968 (I of 1968), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Tobacco Board (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendment of Ordinance I of 1968.**—In the Pakistan Tobacco Board Ordinance, 1968 (I of 1968), hereinafter referred to as the said Ordinance, for the words " Central Government ", wherever occurring, the words " Federal Government " shall be substituted.

3. **Amendment of section 3, Ordinance I of 1968.**—In the said Ordinance, in section 3,—

(1) in sub-section (1),—

(a) for clauses (a), (b) and (c) the following shall be substituted, namely :—

" (a) one member from the North-West Frontier Province or the Punjab to be elected by the Cigarette Manufacturers Association of Pakistan ;

Price : Ps. 6

[1446 Ex. Gaz.]

(b) four members, two each from the North-West Frontier Province and the Punjab, to be nominated by the Provincial Government concerned from amongst the tobacco growers;

(c) one member to be nominated by the Federal Government on the recommendation of the Federation of Pakistan Chambers of Commerce and Industry;" and

(b) in clause (d), for the word "five" the word "four" shall be substituted; and

(2) in sub-section (2), for the words "names of all the members of the Board" the following shall be substituted, namely:—

"designations of the officers of the Federal Government or a Provincial Government nominated to be members of the Board and the names of the other persons elected or nominated to be such members".

4. **Amendment of section 4, Ordinance I of 1968.**—In the said Ordinance, in section 4,—

(1) after sub-section (2), the following new sub-section shall be inserted, namely:—

"(2A) If a member elected or nominated under clause (a), clause (b) or clause (c) of sub-section (1) of section 3 absents himself from three consecutive meetings of the Board without the leave of the Chairman thereof, his seat shall become vacant."; and

(2) in sub-section (3), after the brackets and figure "(2)", the words, brackets, figure and letter "or sub-section (2A)" shall be inserted.

5. **Amendment of section 12, Ordinance I of 1968.**—In the said Ordinance, in section 12, in sub-section (1), for clauses (c) and (d) the following shall be substituted, namely:—

"(c) one member to be appointed by the Federal Government from amongst the persons nominated to the Board under clause (b) of sub-section (1) of section 3;

(d) one member to be appointed by the Federal Government from amongst the persons nominated to the Board under clause (d) of sub-section (1) of section 3.".

ASLAM ABDULLAH KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 17th February, 1975

The following Act of Parliament received the assent of the President on the 12th February, 1975, and is hereby published for general information :—

ACT NO. XX OF 1975

An Act provide for the taking over and management of certain properties

WHEREAS it is expedient to provide for the taking over and management of certain properties, and for matters connected therewith :

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is still in force ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Abandoned Properties (Taking Over and Management) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "abandoned property" means any property, movable or immovable (including share in industrial units and firms, investments, deposits, policies of insurance and all other interests and rights in or to or arising out of any such property), belonging to a specified person and includes any such property sold or transferred to, or placed under the supervision or control of, any other person on or after the sixteenth day of December, 1971, but does not include any ornaments or wearing apparel or any cooking vessels or other house-hold effects in the immediate possession of a specified person, not exceeding a total of rupees one thousand ;

Price : *Ps.* 25

[1498 Ex. Gaz.]

(b) "Administrator" means the Administrator appointed under section 5, and includes a Deputy Administrator;

(c) "Board" means the Board of Trustees constituted under section 4;

(d) "prescribed" means prescribed by rules;

(e) "rules" means rules made under this Act;

(f) "specified person" means a citizen of Pakistan domiciled in the territories which immediately before the sixteenth day of December, 1971, constituted the province of East Pakistan who has left or leaves, or has expressed his desire to be taken out of, or to be allowed to leave, the territories of Pakistan and includes a company registered in the said territories the registered office of which has not been shifted in pursuance of the Companies (Shifting of Registered Office) Ordinance, 1972 (V of 1972).

3. **Vesting of abandoned property in Government.**—All abandoned property shall vest and shall be deemed always to have vested in the Federal Government on and from the sixteenth day of December, 1971.

4. **Board of Trustees.**—(1) As soon as may be after the commencement of this Act, the Federal Government shall, by notification in the official Gazette, constitute a Board of Trustees consisting of a Chairman and such number of other Trustees as the Federal Government may specify in the notification, for the control and management of abandoned property.

(2) In discharging its functions, the Board shall be guided on questions of policy by the instructions, if any, given to it by the Federal Government which shall be the sole judge as to whether a question is a question of policy.

(3) The meetings of the Board shall be held at such intervals and at such time and place as the Chairman of the Board may determine.

(4) Subject to the rules, the Board may, with the previous approval of the Federal Government and by notification in the official Gazette, make regulations for regulating its procedure.

(5) At any time when the office of Chairman is vacant or the Chairman is absent or is unable to perform the functions of his office due to any other cause, the Federal Government may appoint any member of the Board to act as Chairman until a Chairman is appointed or, as the case may be, the Chairman resumes his functions.

5. **Appointment of Administrator and Deputy Administrators.**—(1) For the purpose of carrying the provisions of this Act into effect, the Federal Government may, by notification in the official Gazette, appoint an Administrator for Pakistan and one or more Deputy Administrators for such areas as may be specified in the notification.

(2) The Administrator shall exercise his powers and perform his functions subject to the general supervision and control of the Board and shall be guided by any general or special order made by the Board.

6. **Holding of abandoned property and its surrender, etc.**—(1) Every person who is, or has at any time after the sixteenth day of December, 1971, been in possession, supervision or management of any abandoned property shall be deemed to hold or to have held, as the case may be, such property on behalf of the Board.

(2) As soon as may be, but not later than such date as may be notified by the Federal Government in the official Gazette, every person who is, or has at any time after the sixteenth day of December, 1971, been in possession, supervision or management of any abandoned property or property which he knows or has reason to believe to be abandoned property, and whose authority or right to hold, occupy, supervise or manage such property has not been accepted or approved by the Administrator, shall submit to the Administrator, or to any person authorised by him in this behalf,—

(a) full information relating to such property, including the date since when, or the period for which, he had been in possession, supervision or management thereof; and

(b) a detailed account of the rents, profits, income and other moneys received or benefits derived from such property since the sixteenth day of December, 1971, or for the period he has been in possession, supervision or management thereof.

(3) Every person as aforesaid shall, as soon as may be, but not later than such date as may be notified by the Federal Government in the official Gazette, intimate to the Administrator in writing his willingness to surrender such property to the Administrator or to any person authorised by the Adminstrator in this behalf, and shall surrender the same if called upon by the Administrator or any person authorised as aforesaid.

7. **Power of Administrator to take possession of abandoned property.**—If any person who has purchased any abandoned property the sale of which has not been confirmed by the Administrator under section 13, or who is in possession, supervision or management of any abandoned property or property which he knows or has reason to believe to be abandoned property does not surrender such property to the Administrator or the person authorised by him in this behalf, then, without prejudice to any other action or penalty to which such person may otherwise be liable, the Administrator may use such force as is necessary for taking possession of such property and may for this purpose, after giving reasonable warning and facility to any woman not appearing in public to withdraw, remove or break open any lock, bolt or door, or do any other act necessary for the said purpose.

8. **Payment to Administrator.**—(1) Any amount due to a specified person or payable in respect of any abandoned property or property of which the Administrator has taken possession shall be paid to the Administrator by the person liable to pay the same.

(2) Any person who makes a payment under sub-section (1) shall be discharged from further liability to pay to the extent of the payment made.

9. **Recovery of damages for unauthorised possession.**—Any person who has been in possession or occupation of abandoned property in an unauthorised manner or is found to have misappropriated or unlawfully converted abandoned property to his own use or caused loss to it by his act or omission shall, without prejudice to any other action or penalty to which he may otherwise be liable, pay such damages as may be assessed by the Administrator:

Provided that no such damages shall be assessed by the Administrator without giving notice to such person and affording him an opportunity of being heard.

10. **Exemption from legal process.**—(1) Property which has vested in the Federal Government or of which possession has been taken by the Administrator shall be exempted from all legal process, including seizure, distress, ejectment, attachment or sale by any officer of a Court or any other authority, and no injunction or other order of whatever kind in respect of such property shall be granted or made by any Court or any other authority, and the Federal Government shall not be divested and the Administrator shall not be dispossessed of such property by operation of any law for the time being in force.

(2) Upon the commencement of this Act, any such legal process as aforesaid subsisting immediately before such commencement shall cease to have effect and all abandoned property in custody of any Court, or receiver, guardian or other officer or person appointed by it, shall, upon delivery of the same being called for by the Administrator, be delivered to the Administrator.

11. **Publication of list of abandoned property.**—The Administrator shall publish, by notification in the official Gazette, a list of abandoned property in any area.

12. **Prohibition of transfers of property generally.**—The Federal Government may, by notification in the official Gazette, declare that in such area with a view to preventing the unauthorised or surreptitious transfer of abandoned properties in any area in which a considerable number of such properties is believed to be situated, for such period as may be specified in the notification, the transfer of any property or class of property, or the creation of any right or interest therein or encumbrance thereon, shall be prohibited, and where any such declaration has been made, no such transfer or creation shall be made during that period in that area except with the previous approval in writing of the Administrator.

13. **Confirmation of transfers by specified persons.**—(1) No creation or transfer of any right or interest in or encumbrance upon any property made in any manner whatsoever on or after the sixteenth day of December, 1971, by or on behalf of a specified person shall be effective so as to confer any right or remedy on any party thereto or on any person claiming under any such party, unless it is confirmed by the Administrator.

(2) An application for confirmation of such creation of any right or encumbrance or transfer as aforesaid may be made to the Administrator within the prescribed period by any party thereto, or by any person claiming under or lawfully authorised by such party.

(3) The Administrator shall hold a summary inquiry into the application in the prescribed manner and may reject the application if he is of opinion that the creation or transfer—

(i) was not or has been entered into in good faith or for adequate consideration; or

(ii) ought for any other reason not to be confirmed.

(4) If the application is not rejected under sub-section (3), the Administrator may, with the prior approval of the Board, confirm the creation or transfer either unconditionally or subject to such terms and conditions as he thinks fit to impose.

14. **Claims by interested persons.**—(1) Any person claiming any right or interest in any property treated by the Administrator as abandoned property may prefer a claim to the Administrator on the ground that—

(a) the property is not abandoned property; or

(b) his interest in the property has not been affected by the provisions of this Act.

(2) An application under sub-section (1) shall be made within the prescribed period being a period of not less than thirty days from the prescribed date.

(3) On receiving an application under sub-section (2), the Administrator shall hold a summary inquiry in the prescribed manner and, after taking such evidence as may be produced, shall pass an order stating the reasons therefor, rejecting the application or allowing it wholly or in part on such terms and conditions as he thinks fit to impose.

15. **Appeal and revision.**—(1) Any person aggrieved by an order or decision of the Administrator may, within the prescribed period, which shall not be less than twenty-one days, prefer an appeal to the Board.

(2) The Board may, after giving the appellant an opportunity of being heard, pass such order as it thinks fit.

(3) The Board may, at any time, either of its own motion or on the application of any person made within the prescribed period, call for the record of any proceeding under this Act which is pending before, or has been disposed of by the Administrator, for the purpose of satisfying itself as to the legality or propriety of any order passed in the said proceeding and may after perusal of the record pass such order in relation thereto as it thinks fit :

Provided that the Board shall not, under this sub-section, pass an order revising or modifying an order affecting any person without giving such person an opportunity of being heard.

(4) An order of the Board in an appeal or revision shall be final.

16. **Powers and duties of the Administrator generally.**—(1) The Administrator may take such measures as he considers necessary or expedient for the purpose of securing, administering and managing any abandoned property or property of which possession has been taken by him and may, for any such purpose as aforesaid, do all acts and incur all expenses necessary or incidental thereto.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Administrator may—

(a) carry on the business or undertaking of a specified person;

(b) enter or authorise any person to enter on any land or premises to inspect any abandoned property;

(c) take all such measures as may be necessary to keep any abandoned property in good repair;

(d) direct any person, notwithstanding anything contained in any other law for the time being in force relating to the disclosure of any information by a public servant or any other person, to furnish such return, accounts or other information in relation to any property and to produce such documents as the Administrator considers necessary for the discharge of his duties under this Act;

(e) search, or authorise any other person to search, any building or place in which the Administrator has reason to believe that any abandoned property or any document tending to show that any person is a specified person or that any property is abandoned property is being kept or concealed and take possession thereof;

(f) determine the rent to be recovered from a person found in unauthorised occupation of abandoned property for the period of such occupation;

(g) create a charge on abandoned property;

(h) incur or allow any expenditure to be incurred in the prescribed manner including the payment of taxes, duties, cesses and rates to the Government or to any local authority or of any debt due by a specified person or any claim against him after satisfying himself as to the genuineness of such due or claim;

(i) demolish or dismantle any abandoned property which in the opinion of the Administrator cannot be repaired;

(j) evict with such force as may be necessary an unauthorised occupant of abandoned property or an occupant of such property to whom it has been let out by or on behalf of the Administrator and who makes default in paying the rent for such property or otherwise commits a breach of the terms on which it is let out;

(k) invest in any security approved by the Federal Government or in the prescribed manner any money held by him.

(3) The Administrator shall exercise the powers and perform the functions assigned to him by or under this Act under the general supervision and control of the Board.

17. **Evaluation of abandoned property.**—(1) The Administrator may determine the value of any property of which possession has been taken by him or empower any officer to do so.

(2) If it appears to the Board in any case that the value of any property determined under sub-section (1) is not proper, it may make necessary enquiry in the matter and pass such orders as it may think proper and the orders so passed shall be final.

18. **Expenditure by Administrator how to be recouped.**—Subject to the provisions of section 14, any expenditure incurred by the Administrator in the exercise of any power conferred by this Act shall, in relation to any abandoned property in respect of which it has been incurred, be a charge on such property and shall have priority over all other charges on the property and such expenditure may be met or recouped by the Administrator out of the income accruing from such property.

19. Maintenance of accounts by Administrator.—(1) The Administrator shall maintain a separate account of each abandoned property of which he has taken possession, and shall cause to be made therein entries of all receipts and expenditure in respect thereof.

(2) The account shall be maintained in such form and in such manner as the Federal Government may direct.

(3) The Federal Government shall cause the account to be inspected and audited at such intervals and by such persons as it may, in consultation with the Auditor General of Pakistan, determine.

20. Powers of Board and Administrator when holding an inquiry, etc.—(1) When holding an inquiry or hearing an appeal or revision under this Act, the Administrator, or as the case may be, the Board shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (Act V of 1908), when trying a suit, in respect of the following matters, namely :—

(a) enforcing the attendance of any person and examining him on oath or affirmation ;

(b) compelling the discovery and production of documents, articles and things ;

(c) issuing a commission for the examination of witnesses ;

(d) any prescribed matter.

(2) Every proceeding before the Administrator or the Board under this Act shall be deemed to be judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860), and for the purposes of section 196 of that Code, the Administrator or the Board shall be deemed to be a Court within the meaning of sections 480 and 482 of the Code of Criminal procedure, 1898 (Act V of 1898).

21. Recovery of arrears.—When any person is in default in making payment of any amount payable to the Administrator under this Act or in pursuance of any rule, regulation or agreement made or entered into thereunder, the Administrator may, in accordance with the rules recover the amount by one or more of the following modes, namely :—

(a) attachment and sale, or sale without attachment, of any movable and immovable property of such person ; and

(b) appointment of a receiver for the management of the movable and immovable properties of such person.

22. Penalty and procedure.—(1) Any person who—

(a) contravenes, or resists or interferes with the enforcement of the provisions of this Act or any rule or order made thereunder ; or

(b) in an application or in any proceedings under this Act, furnishes or abets the furnishing of any information which he knows or has reason to believe to be false, or fraudulantly conceals or mis-represents facts, or abets such concealment or mis-representation, shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine or with both.

(2) No court shall take cognizance of any offence punishable under this Act save upon a complaint in writing made by an officer appointed under this Act and authorised by the Board in this behalf.

23. **Bar of jurisdiction.**—No court shall grant any injunction or make any order, nor shall any court entertain any proceeding, in relation to anything done under this Act.

24. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against the Federal Government, the Board, the Administrator, a Deputy Administrator or any other person for anything in good faith done or intended to be done under this Act.

25. **Delegation of powers.**—The Federal Government may, by notification in the official Gazette, direct that all or any of its powers under this Act shall, subject to such conditions, if any, as may be specified in the notification, be exercised also by such officer or authority as may be so specified.

26. **Officers and servants.**—The Board may appoint or employ such officers and servants as it considers necessary for the efficient performance of its functions, on such terms and conditions as it may determine.

27. **Act to override other laws.**—The provisions of this Act or any order or rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any such law and nothing contained in any law relating to the determination of the rent of any immovable property shall apply to any abandoned property.

28. **Power to exempt.**—The Federal Government may by notification in the official Gazette, exempt any person or class of persons or any property or class of property from the operation of all or any of the provisions of this Act.

29. **Power of Federal Government to take action with regard to abandoned property.**—The Federal Government may, for the purpose of regulating the administration of any abandoned property, make such orders or direct such action to be taken in relation thereto as in its opinion the circumstances of the case require and as is not inconsistent with any of the provisions of this Act.

30. **Power to make rules.**—(1) The Federal Government may, by notification in the official Gazette, make such rules as appear to it to be necessary for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the terms and conditions of service of the Administrator and Deputy Administrators ;

(b) the functions to be performed by the Administrator and the Deputy Administrators ;

(c) the manner in which entry or search under clause (b) or clause (e) of sub-section (2) of section 16 may be made or possession of any abandoned property may be taken by the Administrator;

(d) the manner in which inquiries under this Act may be held;

(e) the time within which application for confirmation under section 13 or preferring claim under section 14 may be made;

(f) the income-tax authority who may issue a no objection certificate under section 13;

(g) the powers vested in a civil court which may be exercised by the Administrator when holding any inquiry under this Act;

(h) the fees payable to the Administrator for the administration of abandoned property; and

(i) the delegation of powers and functions of the Administrator to a Deputy Administrator or any other officer appointed under this Act.

31. **Removal of difficulties.**—If any difficulty arises in giving effect to any provisions of this Act, within three months after the commencement of this Act, the Federal Governmewnt may make such order, not inconsistent with the provisions of this Act, as it considers necessary or expedient for the purpose of removing that difficulty.

FATEH KHAN BANDIAL,
Secretary.

CORRIGENDA

[*To the* Gazette of Pakistan Extraordinary, *Part I, dated the 17th January, 1975 and 11th February, 1975 containing Act Nos. I to VIII of 1975 and XVII of 1975*].

In Clause 3—Page No. 3, in the first line *for* the word "this" ***read*** "the".

In Clause 12—Page No. 9, second line from bottom *for* the figure "1971" ***read*** "1970".

In Clause 2—Page No. 53, fourth line *for* the word "ben" ***read*** "been".

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ISLAMABAD, TUESDAY, FEBRUARY 18, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 18th February, 1975

The following Acts of Parliament received the assent of the President on the 13th February, 1975, and are hereby published for general information :—

ACT NO. XXI OF 1975

An Act to amend the Political Parties Act, 1962, for the purpose of bringing its provisions into accord with the Constitution

WHEREAS it is expedient to amend the Political Parties Act, 1962 (III of 1962), for the purpose of bringing its provisions into accord with the Constitution ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Political Parties (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act III of 1962.**—In the Political Parties Act, 1962 (III of 1962), hereinafter referred to as the Act, in section 2,—

(i) for clause (a) the following clause shall be substituted, namely :—

"(a) 'Constitution' means the Constitution of the Islamic Republic of Pakistan ; " ; and

(ii) clause (b) shall be omitted.

Price : Rs. 13

3. **Amendment of section 3, Act III of 1962.**—In section 3 of the Act,—

(i) for sub-section (1) the following shall be substituted, namely :—

"(1) No political party shall be formed with the object of propagating any opinion or acting in any manner prejudicial to the sovereignty or integrity of Pakistan." ; and

(ii) sub-section (2) shall be omitted.

4. **Amendment of section 4, Act III of 1962.**—In section 4 of the Act,—

(a) in clause (1), the word "or" shall be added at the end ; and

(b) for clauses (2) and (3) the following shall be substituted, namely :—

"(2) for any person, not being in the service of Pakistan,—

(a) to be a member or office bearer of, or be otherwise associated with, a political party ; or

(b) for the purposes of an election to be held under the Constitution, to hold himself out or any other person, not being a person in the service of Pakistan, as a member or to have the support of a political party, the formation, organisation or setting up of which is not prohibited by this Act.".

5. **Omission of section 5, Act III of 1962.**—Section 5 of the Act shall be omitted.

✓ 6. **Substitution of section 6, Act III of 1962.**—For section 6 of the Act the following shall be substituted, namely :—

"6. *Dissolution of political parties.*—(1) Where the Federal Government is satisfied that a political party has been formed or is operating in a manner prejudicial to the sovereignty or integrity of Pakistan, it shall make such a declaration and publish the same in the official Gazette, and upon such publication, the political party concerned shall, subject to the provisions of sub-section (2), stand dissolved, and all its properties and funds shall be forfeited to the Federal Government.

(2) Within fifteen days of making a declaration under sub-section (1), the Federal Government shall refer the matter to the Supreme Court whose decision on such reference shall be final.".

7. **Amendment of section 7, Act III of 1962.**—In section 7 of the Act,—

(i) sub-sections (1) and (3) shall be omitted ; and

(ii) in sub-section (2),—

(a) the words, figure and brackets "sub-section (2) of" shall be omitted ; and

(b) for the words "two years", the words "three years" shall be substituted.

8. **Amendment of section 8, Act III of 1962.**—In section 8 of the Act, sub-section (2) shall be omitted and shall be deemed to have been omitted with effect from eighth May, 1974.

9. **Omission of section 8A, Act III of 1962.**—Section 8A of the Act shall be omitted.

10. **Amendment of section 9, Act III of 1962.**—In section 9 of the Act, for the words "Central Government", the words "Federal Government" shall be substituted.

11. **Repeal.**—The Political Parties (Amendment) Ordinance, 1974 (XXI of 1974), is hereby repealed.

ACT NO. XXII OF 1975

An Act further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Third Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 10 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 10,—

(a) in clause (4), for the words "one month" twice occurring the words "three months" shall be substituted;

(b) in clause (5), for the words and comma "as soon as may be, but not later than one week" the words "within fifteen days" shall be substituted; and

(c) in clause (7), in the proviso, after the word "enemy", the commas and words ", or who is acting or attempting to act in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof or who commits or attempts to commit any act which amounts to an anti-national activity as defined in a Federal law or is a member of any association which has for its objects, or which indulges in, any such anti-national activity" shall be added.

3. **Amendment of Article 232 of the Constitution.**—In the Constitution, in Article 232, in clause (7), for paragraph (b) the following shall be substituted, namely :—

"(b) shall, subject to the provisions of paragraph (a), cease to be in force upon a resolution disapproving the Proclamation being passed by the votes of the majority of the total membership of the two Houses in joint sitting.".

FATEH KHAN BANDIAL,

Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 20th February, 1975

The following Acts of Parliament received the assent of the President on the 15th February, 1975, and are hereby published for general information :—

ACT NO. XXIII OF 1975

An Act further to amend the Pakistan Coinage Act

WHEREAS it is expedient further to amend the Pakistan Coinage Act (III of 1906), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Coinage (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General.**—In the Pakistan Coinage Act (III of 1906), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 6, Act III of 1906.**—In the said Act, in section 6,—

(a) after the word "Mint", the commas and words ", or at a mint outside Pakistan," shall be inserted; and

(b) the words "not higher than one rupee" shall be omitted.

4. **Amendment of section 13, Act III of 1906.**—In the said Act, in section 13, in sub-section (1), in clause (a), after the words "rupee coin", the words "or a coin of any higher denomination" shall be inserted.

Price : Rs. 19

ACT NO. XXIV OF 1975

An Act further to amend the Pakistan Commissions of Inquiry Act, 1956

WHEREAS it is expedient further to amend the Pakistan Commissions of Inquiry Act, 1956 (VI of 1956), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Pakistan Commissions of Inquiry (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **General amendment, Act VI of 1956.**—In the Pakistan Commissions of Inquiry Act, 1956 (VI of 1956), hereinafter referred to as the said Act, for the words "Central Government" wherever occurring the words "Federal Government" shall be substituted.

3. **Amendment of section 5, Act VI of 1956.**—In the said Act, in section 5,—

(a) in sub-section (1), after the brackets and figure "(4)", the words, brackets, figure and letter "or sub-section (4A)" shall be inserted; and

(b) after sub-section (4), the following new sub-section shall be inserted, namely:—

"(4A) Where a Commission consists of, or the President thereof is, a Judge of the Supreme Court or a High Court, the Commission shall have the same power as the High Court has to punish any person who—

(a) abuses, interfers with or obstructs the process of the Commission in any way or disobeys any order of the Commission;

(b) scandalizes the Commission or otherwise does anything which tends to bring the Commission or a member of the Commission in relation to his office into hatred, ridicule or contempt;

(c) does anything which tends to prejudice the determination of a matter pending before the Commission; or

(d) does any other thing which, by any other law, constitutes contempt of court:

Provided that fair comment made in good faith and in the public interest on the working of the Commission or on its final report after the completion of the enquiry shall not constitute contempt of the Commission.

(4B) The exercise of the power conferred on a Commission by sub-section (4A) shall be regulated by rules made by the Supreme Court.".

4. **Repeal.**—The Pakistan Commissions of Inquiry (Amendment) Ordinance, 1974 (XXII of 1974) is hereby repealed.

ACT No. XXV OF 1975

An Act to amend the Central Employees Benevolent Fund and Group Insurance Act, 1969.

WHEREAS it is expedient to amend the Central Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Central Employees Benevolent Fund and Group Insurance (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendments, Act II of 1969.**—In the Central Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969), hereinafter referred to as the said Act,—

(a) for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted;

(b) for the words "Central Employees Benevolent Fund", wherever occurring, the words "Federal Employees Benevolent Fund" shall be substituted; and

(c) for the words "Central Employees Insurance Fund", wherever occurring, the words "Federal Employees Insurance Fund" shall be substituted.

3. **Amendment of section 1, Act II of 1969.**—In the said Act, in section 1, for the words, comma and figure "Central Employees Benevolent Fund and Group Insurance Act, 1969" the words, comma and figure "Federal Employees Benevolent Fund and Group Insurance Act, 1969" shall be substituted.

4. **Amendment of section 2, Act II of 1969.**—In the said Act, in section 2,—

(A) for clause (4),—the following shall be substituted, namely:—

"(4) "employee" means,—

(a) any person who is a member of an All-Pakistan Service or of a civil service of the Federation, or who holds a civil post in connection with the affairs of the Federation;

(b) any person appointed to the secretarial staff of the National Assembly or of the Senate whose terms and conditions of service are governed by rules or law made under Article 87;

(c) any officer or servant of the Supreme Court whose terms and conditions of employment are governed by rules made under Article 208;

(d) any officer or servant employed in connection with the functions of the Chief Election Commissioner or an Election Commission whose terms and conditions of employment are governed by rules or law made under Article 221;

(e) any officer or servant of such body corporate, institution, organization or autonomous body, as the Federal Government may, by notification in the official Gazette, specify.

and includes any such person, officer, servant or member of the staff who is—

(i) on deputation elsewhere or on foreign service within the meanings of the Fundamental Rules,

(ii) undergoing study or training in or outside Pakistan,

(iii) on leave, or

(iv) under orders of suspension,

but does not include any person who :—

(a) is an employee of the Railways ; or

(b) has attained the age of sixty years ; or

(c) is an officer or servant of a Provincial Government on deputation to the Federal Government ; "

(B) in clause (5), in such clause (b), the words "residing with and" shall be omitted ; and

(C) in clause (7), for the commas and words ", technical pay," the words and comma "and technical pay, but does not include" shall be substituted.

5. **Amendment of section 4, Act II of 1969.**—In the said Act, in section 4, in sub-section (1),—

(a) for the words "Central Employees Benevolent and Insurance Funds" the words "Federal Employees Benevolent and Insurance Funds" shall be substituted ; and

(b) in the proviso, for the words "Labour and Social Welfare Division" the words "Labour and Local Bodies Division" shall be substituted.

6. **Amendment of section 17, Act II of 1969.**—In the said Act, in section 17, in sub-section (5), for the words "families of the employees" the words and commas, "employees, including retired employees, and their families" shall be substituted.

7. **Amendment of section 20, Act II of 1969.**—In the said Act, in section 20, for the words "Comptroller and Auditor-General of Pakistan", twice occurring, the words "Auditor-General of Pakistan" shall be substituted.

8. **Amendment of First Schedule, Act II of 1969.**—In the said Act, in the First Schedule, for the word "drawing" the words "whose pay last drawn was at the monthly rate of" shall be substituted.

9. **Amendment of Second Schedule, Act II of 1969.**—In the said Act, in the Second Schedule,—

(a) for the word "receiving" the words "whose pay last drawn was at the monthly rate of" shall be substituted ; and

(b) the words "per mensem", shall be omitted.

ACT NO. XXVI OF 1975

An Act further to amend the State Bank of Pakistan Act, 1956

WHEREAS it is expedient further to amend the State Bank of Pakistan Act, 1956 (XXXIII of 1956), for the purpose hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.—(1) This Act may be called the State** Bank of Pakistan (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 17, Act XXXIII of 1956.**—In the State Bank of Pakistan Act, 1956 (XXXIII of 1956), in section 17, in clause (16), in sub-clause (a), the words "for a period not exceeding three months" shall be omitted.

3. **Repeal.—The State Bank of Pakistan (Amendment) Ordinance, 1975 (I of 1975), is hereby repealed.**

MUHAMMAD ILYAS,
Joint Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 5th March, 1975

The following Acts of Parliament received the assent of the President on the 1st March, 1975, and are hereby published for general information :—

ACT No. XXVII OF 1975

An Act to provide for the annulment of certain references to arbitration and abatement of certain arbitration proceedings

WHEREAS the Capital Development Authority has entered into agreements with certain persons for the execution of certain projects and other works required to be undertaken by it under the Capital Development Authority Ordinance, 1960 (XXIII of 1960), and for the supply of goods or labour or the performance of certain obligations ;

AND WHEREAS such agreements provide for reference of disputes arising therefrom to arbitration ;

AND WHEREAS pursuant to the aforesaid provision of the said agreements, certain disputes between the Capital Development Authority and the said persons have been, or may hereafter be, referred to arbitration, either by the parties themselves or by order of a Court ;

AND WHEREAS the references made to arbitration pursuant to such agreements have failed to achieve the objects for which provision for such references was made ;

Price : *Ps.* 25

[1636 Ex. Gaz.]

AND WHEREAS it is necessary that the references to arbitration in which the Capital Development Authority is a party be annulled and the proceedings before the arbitrators be abated, and necessary provisions consequent upon such annulment and abatement be made;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This act may be called the Capital Development Authority (Abatement of Arbitration Proceedings) Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—(1) In this Act unless there is anything repugnant in the subject or context,—

(a) "Authority" means the Capital Development Authority established under the Capital Development Authority Ordinance, 1960 (XXIII of 1960); and

(b) "contractor" means any person, firm or company, not being a foreigner or a foreign firm or company, who or which has entered into an agreement with the Authority for the execution of any projects or works, or for the supply of any goods or labour or for the performance of any obligation, and includes a sub-contractor.

(2) Words used but not defined in this Act shall respectively have the same meanings as are assigned to them in the Arbitration Act, 1940 (X of 1940).

3. **Abatement of proceedings before arbitrators, etc.**—(1) Notwithstanding anything contained in any law for the time being in force, or any order of a Court or any agreement,—

(a) any provision in an agreement entered into before the coming into force of this Act by or on behalf of the Authority and a contractor relating to the execution of any project or works or to the supply of any goods or labour or to the performance of any obligation, providing for reference to arbitration of any dispute arising out of the agreement or any term or condition thereof shall stand abrogated and annulled and be of no effect;

(b) all arbitration proceedings in pursuance of any such agreement as is referred to in clause (a), whether the reference to arbitration was made by consent of the parties thereto, by order of a Court or otherwise, pending before an arbitrator or arbitrators or an umpire immediately before the coming into force of this Act shall forthwith abate and, save as hereinafter provided, shall be of no effect;

(c) any award made by an arbitrator, arbitrators, or umpire in pursuance of any such agreement as is referred to in clause (a) shall, unless the award has been made the rule of the Court, or partly or wholly implemented or acted upon, stand annulled and be of no effect, and any proceedings in respect of such award, if pending immediately before the coming into force of this Act, shall abate;

(d) all proceedings in relation to an application made to a Court for referring a dispute to arbitration pursuant to an agreement referred to in clause (a) shall abate, and any order made by a Court on such application referring the dispute to arbitration shall be of no effect; and

(e) any dispute referred to arbitration the proceedings whereof have abated by reason of the provisions of this section shall be decided in accordance with the provisions of the law for the time being in force.

(2) The fees to be paid to an arbitrator, arbitrators or an umpire in respect of the proceedings which have abated or an award which has been annulled, under sub-section (1) shall, unless mutually agreed to by such arbitrator or arbitrators or umpire, the Authority and the contractors, be of such amount, and shall be payable by the Authority or the contractors, or in such proportion by the Authority and the contractors, as the Court having jurisdiction to adjudicate in the matter of the dispute referred to arbitration may determine on application made to it in this behalf by the arbitrator, arbitrators or umpire, as the case may be.

(3) In determining the fees to be paid to an arbitrator, arbitrators or an umpire under sub-section (2), the Court shall take into consideration the stage of the proceedings before the arbitrator, arbitrators or the umpire, as the case may be, at which such proceedings abated under this section :

Provided that the fees so determined shall in no case exceed the fees agreed upon by the Authority and the contractors at the time of making the reference to arbitration or at any time thereafter and consented to by the arbitrator, arbitrators or umpire, as the case may be.

4. **Limitation.**—In computing the period of limitation prescribed for a suit or application relating to any dispute to which the provisions of sub-section (1) of section 3 apply, the time commencing on the date—

(a) of the execution of an agreement of reference to arbitration by the Authority and the contractor ;

(b) of the making of a reference to arbitration ; or

(c) of the making of an application to a Court for referring dispute to arbitration ;

and ending immediately before the coming into force of this Act shall be excluded :

Provided that nothing in this section shall be deemed to have the effect of extending the period of limitation for a suit or an application where such period had expired prior to the execution of an agreement or the making of a reference or an application as is referred to in clause (a), clause (b) or clause (c).

ACT No. XXVIII OF 1975

An Act further to amend the Ports Act, 1908

WHEREAS it is expedient further to amend the Ports Act, 1908 (XV of 1908), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Ports (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 21, Act XV of 1908.**—In the Ports Act, 1908 (XV of 1908), hereinafter referred to as the said Act, in section 21,—

(a) in sub-section (1), after the words "in or into", the commas and words ", or in any place from which the same is liable to be washed as aforesaid into," shall be inserted;

(b) in sub-section (2), for the words "five hundred" the words "fifty thousand" shall be substituted; and

(c) in sub-section (3), for the words "also be liable to simple imprisonment for a term which may extend to two months" the words "be punishable with a further fine which may extend to two thousand rupees for each day after the receipt of such notice and also be liable to simple imprisonment for a term which may extend to six months" shall be substituted.

3. **Amendment of section 54, Act XV of 1908.**—In the said Act, in section 54, for the words "one hundred" the words "fifty thousand" shall be substituted.

ACT No. XXIX OF 1975

An Act further to amend the Import of Goods (Price Equalization Surcharge) Act, 1967

WHEREAS it is expedient further to amend the Import of Goods (Price Equalization Surcharge) Act, 1967 (III of 1967), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Import of Goods (Price Equalization Surcharge) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendment.**—In the Import of Goods (Price Equalization Surcharge) Act, 1967 (III of 1967), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 2, Act III of 1967.**—In the said Act, in section 2, for clause (d) the following shall be substituted and shall be deemed always to have been so substituted, namely:—

"(d) 'shipping period' means the period beginning on the first day of July and ending on the thirtieth day of June or such other period as the Federal Government may, from time to time, by notification in the official Gazette, declare to be a shipping period for the purposes of this Act:

Provided that, in the case of a notification issued under sub-section (1) of section 4 which declares the highest rate of landed cost in relation to any specified goods imported in any shipping period following a date mentioned in the notification, the shipping period shall be deemed to be the period beginning on the date so mentioned and ending on the date specified in any subsequent notification as the beginning of a new shipping period in relation to such goods.".

4. **Repeal.**—The Import of Goods (Price Equalization Surcharge) (Amendment) Ordinance, 1974 (XXIII of 1974), is hereby repealed.

ACT No. XXX OF 1975

An Act further to amend the Boilers Act, 1923

WHEREAS it is expedient further to amend the Boilers Act, 1923 (V of 1923), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Boilers (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of section 27A, Act V of 1923.**—In the Boilers Act, 1923 (V of 1923), in section 27A, for sub-section (2) the following shall be substituted, namely:—

"(2) The Board shall consist of the following members, namely:—

(a) A Chairman to be nominated by the Federal Government;

(b) one member to be nominated by each of the Provincial Governments;

(c) one member to be nominated by the Pakistan Railways; and

(d) such other members as the Federal Government may, by notification in the official Gazette, nominate.".

ACT No. XXXI OF 1975

An Act further to amend the Pakistan Standards Institution (Certification Marks) Ordinance, 1961

WHEREAS it is expedient further to amend the Pakistan Standards Institution (Certification Marks) Ordinance, 1961 (XLVIII of 1961), for the purposes hereinafter appearing;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Pakistan Standards Institution (Certification Marks) (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **General amendment, Ordinance XLVIII of 1961.**—In the Pakistan Standards Institution (Certification Marks) Ordinance, 1961 (XLVIII of 1961), hereinafter referred to as the said Ordinance, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Insertion of section 9, Ordinance XLVIII of 1961.**—In the said Ordinance, after section 8, the following new section 9 shall be inserted, namely:—

> "9. *Power to prohibit sale of certain articles.*—(1) The Federal Government may, after consulting the Council, by notification in the official Gazette, prohibit, with effect from such date as may be specified in the notification, the sale of any article specified therein which does not conform to the Pakistan Standard established by the Institution in relation to that article:
>
> Provided that the date specified in the notification shall be a date not earlier than two months from the date of publication of the notification.
>
> (2) The Federal Government may, by notification in the official Gazette, require any article which conforms to a particular Pakistan Standard to be marked with such distinctive mark as may be specified in the notification."

ACT No. XXXII OF 1975

An Act to provide for the regulation of fishing within the exclusive fishery zone of Pakistan

WHEREAS it is expedient to provide for the regulation of fishing within the exclusive fishery zone of Pakistan and for matters ancillary thereto;

It is hereby enacted as follows:—

1. **Short title, extent, application and commencement.**—(1) This Act may be called the Exclusive Fishery Zone (Regulation of Fishing) Act, 1975.

(2) It extends to the whole of Pakistan and to waters within the exclusive fishery zone of Pakistan beyond the territorial waters, hereinafter referred to as the Zone.

(3) It applies to all fishing crafts within the Zone and to all persons on board such fishing crafts.

(4) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "fish" includes molluscs, crustaceans, kelp and other marine animals;

(b) "Fishery Officer" means any person who is authorised by the Federal Government, by notification in the official Gazette, to exercise or perform any of the powers or functions of Fishery Officer under this Act;

(c) "fishing" means taking or catching of fish within the Zone by any means;

(d) "fishing craft" includes every vessel of whatever description and size and in whatever way propelled or moved which is used in fishing or the transport or processing thereof;

(e) "fishing gear" includes all appliances used for fishing;

(f) "licencing authority" means any person authorised by the Federal Government, by notification in the official Gazette, to issue licences under this Act;

(g) "prescribed" means prescribed by rules; and

(h) "rules" means rules made under this Act.

3. **Fishing without licence prohibited.**—No person shall, for the purpose of fishing, operate a fishing craft or use any kind of fishing gear within the Zone except under the authority of a licence granted by the licencing authority nor otherwise than in accordance with the terms and conditions of such licence.

4. **Fishing craft subject to navigational regulations.**—(1) Every fishing craft shall be subject to any law relating to navigation for the time being in force.

(2) The location of nets and traps set by a fishing craft shall be prominently displayed by such means as may be prescribed.

(3) Every fishing gear shall be clear of the navigation channel and specified routes of commercial vessels.

5. **Dynamiting and poisoning prohibited.**—No person shall use dynamite or any other explosive substance or poison, lime or noxious material for fishing or destroying fish in the Zone.

6. **Closed season and prohibited area.**—Notwithstanding anything contained in this Act, the Federal Government may, by notification in the official Gazette, declare any period to be period during which, and any area to be an area within which, fishing of all or any specified description of fish shall be prohibited in the Zone.

7. **Power to search.**—Any Fishery Officer may search any fishing craft or landing ground in or on which he has reason to believe to be concealed any fish caught or taken, or anything used, in contravention of any provision of this Act or the rules.

8. **Seizure and disposal.**—(1) If any Fishery Officer has reason to believe that any fish has been caught or taken in contravention of any provision of this Act or the rules, or that any fishing craft and fishing gear has been used for such fishing, he may arrest without warrant the owner or the person in charge of the vessel and seize such fish.

(2) Every officer making an arrest under sub-section (1) shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or before the officer in charge of the nearest police-station; and thereupon the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), applicable in respect of a person who, having been arrested without warrant, has been taken or sent before a Magistrate or an officer in charge of a police-station shall apply to him.

(3) Any fish seized under sub-section (1) shall be disposed of in accordance with the decision of the court before which the owner or person in charge of the fishing craft is prosecuted under sub-section (2):

Provided that, if the fish seized is such as is likely to perish unless preserved or processed without delay, it may be sold or otherwise disposed of and, if it is sold, its value shall be treated as seized property for the purpose of this sub-section.

9. **Penalty.**—(1) Whoever contravenes any provision of this Act or the rules shall be punishable with fine which may extend to five thousand rupees.

(2) Any court convicting any person under sub-section (1) may order that any fish caught or taken in contravention of the provisions of this Act or the rules, shall be forfeited to the Federal Government.

(3) Where the person contravening any provision of this Act or the rules is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention was committed without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

(4) Whoever attempts to contravene, or abets the contravention of, any provision of this Act or the rules shall be deemed to have contravened the provisions of this Act or the rules.

10. **False statement.**—Whoever, upon being so required by a police officer not below the rank of Sub-Inspector or a Fishery Officer, makes any statement or furnishes any information which is false in any material particulars and which he knows or has reason to believe to be false, or does not believe to be true, or makes any such statement as aforesaid in any book, account, record, declaration, or any document which he is required to maintain, shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both.

11. **Burden of proof.**—Where any person is prosecuted for doing any act or being in possession of anything without lawful authority or licence, the burden of proving that he has such authority or licence shall lie on that person.

12. **Liability of the owner, etc.**—The owner or the person in charge of any fishing craft carrying anything in contravention of any provision of this Act or the rules shall be deemed to have contravened the provisions of this Act or the rules, as the case may be, if—

(i) such carriage is part of the transaction involving the contravention; and

(ii) if the owner or person in charge knew or had reason to believe that a contravention was being committed;

and shall be punishable under section 9.

13. **Indemnity.**—No suit or other legal proceeding shall lie against the Federal Government or any Fishery Officer for anything in good faith done or intended to be done under this Act or any rule.

14. **Delegation of powers.**—The Federal Government may, by notification in the official Gazette, delegate all or any of its powers under this Act or the rules to any officer.

15. **Jurisdiction of courts.**—For the purpose of giving jurisdiction to courts under this Act, a fishing craft shall be deemed to be a ship within the meaning of any enactment for the time being in force relating to offences committed on board a ship, and every court shall have the same jurisdiction over a foreign fishing craft within the Zone and persons belonging to such fishing craft as such court would have if such fishing craft were a Pakistan fishing craft.

16. **Power to make rules.**—(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the sizes of meshes and the sizes and types of nets ;

(b) the size and the quantity of fish which may be caught by any fishing gear or processed at any time ;

(c) the terms and conditions to which licences for fishing shall be subject ;

(d) the registration of fishing craft and fishing gear ;

(e) the regulation of operations of fishing craft ;

(f) registration fee, licence fee and royalties on catches, and other dues of the Federal Government ;

(g) specification of the area for landing of fish taken or caught in the Zone ; and

(h) regulation of landing and inspection of fish taken or caught in the Zone.

M. A. HAQ,
Secretary.

Islamabad, the 24th February, 1975

CORRIGENDA

[*to the Gazette of Pakistan, Extraordinary (Part I), dated the 25th January, 1975 and 17th February, 1975 containing Act Nos. X to XIII of 1975 and XX of 1975.*]

In the Schedule—Page 19, in column 4, in the first line *for* the word "whenever" *read* "wherever".

In Clause 5—Page 22, eleventh line from bottom *for* the word "Worwers" *read* "Workers".

In Clause 6—Page 23, seventh line from top *for* "extencd" *read* "extend".

In Clause 8—Page 27, ninth line from top *for* the word "rust" *read* "**trust**".

Page 57, fourth line from the top *for* the words " An Act provide " *read* " An Act to provide ".

Page 57, sixth line from the top *for* " : " *read* " ; ".

In Clause 6—Page 59, nineteenth line from top *for* " Adminstrator " *read* " Administrator ".

In Clause 15—Page 61, eigth line *for* " of " *read* " of, ".

Islamabad, the 5th March, 1975

[*to the Gazette of Pakistan, Extraordinary (Part I), dated the 20th February, 1975 containing Act Nos. XXIII to XXVI of 1975.*]

Page No. 72 : In Clause 3, in the fourth line, *for* the word " sub-section " *read* " sub-sections ".

" " : In Clause 3, in the tenth line, *for* the word " interfers " *read* " interferes ".

" No. 74 : third line from the top, *for* the word " specify. " *read* " specify, ".

" " : eleventh line from the top, *for* the words " person who :— " *read* " person who— ".

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ISLAMABAD, TUESDAY, APRIL 1, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 1st April, 1975

The following Act of Parliament received the assent of the President on the 1st April, 1975, and is hereby published for general information :—

ACT No. XXXIII OF 1975

An Act to make provisions to deal more effectively with the offences against life and property in the North-West Frontier Province

WHEREAS it is expedient to make provisions to deal more effectively with the offences against life and property in the North-West Frontier Province and for the matters connected therewith ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the North-West Frontier Province Suppression of Crimes Act, 1975.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Government" means the Government of North-West Frontier Province ; and

(b) "serious offence" means an offence punishable with death, imprisonment for life, or with imprisonment for a term which may extend to two years or more.

Price : Ps. 19

3. **Fines on inhabitants accessory to crime.**—(1) Where from the circumstances of any case, there appears to be good reason to believe that the inhabitants of any area or part thereof, or any of them, have—

(a) abetted or are concerned in the commission of any serious offence against person or property; or

(b) failed to render, when called upon by the District Magistrate or any public servant, assistance in their power to discover the offender concerned in the commission of any serious offence against person or property; or

(c) harboured any offender or person suspected of having taken part in the commission of a serious offence against person or property; or

(d) suppressed material evidence of the commission of a serious offence against person or property;

the District Magistrate may, with in the previous sanction of Government, impose such fine, not exceeding one lac rupees, as he considers proper, on the male adult inhabitants of the area or part thereof, or any of them as a whole, as the case may be, after holding a summary enquiry and affording them an opportunity to show cause against the proposed action.

(2) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (1) among the inhabitants of the area or part thereof who are liable collectively to pay it.

(3) The District Magistrate may, while making an order under this section, direct that the person liable to pay fine shall, in default of payment, undergo imprisonment for a term not exceeding six months.

(4) Fines imposed under this Act shall, in default of payment, be recoverable in the manner provided in section 386 of the Code of Criminal Procedure, 1898 (Act V of 1898).

4. **Appeal.**—(1) Any party aggrieved by an order made under section 3 may, within thirty days of such order, prefer an appeal to Government.

Explanation.—In computing the period of thirty days, the day on which the order to be appealed against was made and the time requisite for obtaining copy thereof shall be excluded.

(2) An order made by Government on appeal under sub-section (1) shall be final:

Provided that Government shall not make any order on an appeal without giving the aggrieved party an opportunity of being heard.

5. **Appearance of legal practitioner.**—In proceedings under this Act the inhabitants of the area concerned shall be entitled to be represented by a legal practitioner of their choice.

6. **Jurisdiction of court barred.**—No proceedings under this Act and no order made or decision given in any such proceeding shall be called in question in any Court or before any other authority.

7. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person or Government for anything which is in good faith done or intended to be done under or in pursuance of this Act or any rule or order made thereunder.

8. **Power to make rules.**—Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

9. **Amendment of N.W.F.P. Ordinance No. IX of 1972.**—In the North-West Frontier Province (Villages and Small Towns Patrol and Protection) Ordinance, 1972,—

(a) section 13 and section 14 shall be omitted; and

(b) in section 15, the comma, figures and word ", 13 or 14" shall be omitted.

10. **Repeal.**—The North-West Frontier Province Suppression of Crimes Ordinance, 1975 (N.W.F.P. Ordinance No. I of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 12th April, 1975

The following Acts of Parliament received the assent of the President on the 8th April, 1975, and are hereby published for general information :—

ACT No. XXXIV OF 1975

An Act further to amend the West Pakistan Ordinance, 1959

WHEREAS it is expedient further to amend the West Pakistan Rangers Ordinance, 1959 (W. P. Ordinance No. XIV of 1959), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the West Pakistan Rangers (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendment of West Pakistan Ordinance No. XIV of 1959.**— In the West Pakistan Rangers Ordinance, 1959 (W. P. Ordinance No. XIV of 1959), hereinafter referred to as the said Ordinance, for the words "West Pakistan Rangers", wherever occurring, the words "Pakistan Rangers" shall be substituted.

3. **Amendment of section 13, West Pakistan Ordinance No. XIV of 1959.**— In the said Ordinance, in section 13, in clauses (a) and (e), for the word "Central" the word "Federal" shall be substituted.

4. **Amendment of section 21, West Pakistan Ordinance No. XIV of 1959.**— In the said Ordinance, in section 21, in sub-section (1), for the words "Central Government" the words "Federal Government" shall be substituted.

Price : Ps. 37

[2000 Ex. Gaz.]

ACT No. XXXV OF 1975

An Act to establish a system of urban planning for the North-West Frontier Province to provide for effective vertical and horizontal integration of physical planning with the economic and social planning at all Governmental levels, and to create suitable institutional framework to effectuate such objectives

WHEREAS it is expedient in the public interest to establish a system of urban planning for the North-West Frontier Province to provide for the integration of physical planning with economic and social planning at provincial, regional and local levels; to provide a structure and processes for formulating and carrying out integrated urban and rural development policies; to co-ordinate the provincial planning system with planning under the Federal Government; to create or designate government agencies to ensure proper and effective implementation of the foregoing; and to vest them with necessary powers;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force;

It is hereby enacted as follows:—

CHAPTER I—PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the North-West Frontier Province Urban Planning Act, 1975.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once and, except section 45, shall be deemed to have taken effect on the seventh day of January, 1975.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(1) "agriculture" or "agricultural" includes horticulture, farming, growing of crops, fruits, vegetables, flowers, grass, fodder, trees or any kind of cultivation of soil, breeding and keeping of livestock including cattle, horses, donkeys, mules, fish and bees, and the use of land which is ancillary to the farming of land or any other agricultural purposes, but shall not include the use of any land attached to building for the purposes of a garden to be used alongwith such building;

(2) "Board" means the Provincial Urban Development Board, North-West Frontier Province, established under section 3;

(3) "development" includes those subjects, embraced by the operative National Five-Year Plan, Annual Development Plan or similar plan, which have special aspects or implications;

(4) "development planning" and "development plan" mean, respectively, planning and plans for development engaged in or formulated by the planning agency; and include the full range of scales, types and functions of planning;

(5) "functions" includes powers and duties;

(6) "Government" means the Government of the North-West Frontier Province;

(7) "government agency" includes—

(*a*) any division, department, bureau, section, commission, board, district officer or any other officer, body or unit of Government ;

(*b*) any municipal body, as defined in clause (14) ; and

(*c*) any development authority or other public authority, company or corporation (whether autonomous or semi-autonomous in character), board or Improvement Trust owned or controlled by Government or a municipal body ;

(8) "land" includes the earth, water and space above, below or on the surface and includes any improvements of structures customarily regarded as land ;

(9) "land development" means the dividing of land into two or more plots, the amalgamation of plots, the carrying out of any building operation including erection, construction, redevelopment, alteration or repair, the making of any material change in the use or appearance of any structure on land and includes—

(*a*) a change in the type of use of a structure or land, or, if the Land Development Regulations divide uses into classes, a change from one designated class of use to a use in another designated class ;

(*b*) a reconstruction, alteration of the size or material change in the external appearance, of a structure or land ;

(*c*) a change in the intensity of use of land, such as an increase in the number of business, manufacturing establishments, offices, or dwelling units in a structure or on land ;

(*d*) commencement of excavation ;

(*e*) demolition of a structure or removal of trees;

(*f*) deposit of refuse, solid or liquid waste or fill on land ;

(*g*) in connection with the use of land, the making of any material change in noise levels, thermal conditions, or omissions of waste material ;

(*h*) commencement or change in the location of an advertising structure or use of land, the commencement or change in location of advertising on the external part of a structure;

(*i*) alteration of share, bank, or flood plain of a river, lake, pond or artificial body of water ;

(*j*) the installation of underground or overhead public service facilities ;

(*k*) re-establishment of a use which has been abandoned or suspended for one year regardless of the intended duration of the suspension ; and

(*l*) departure from the normal use for which development permission has been granted, or failure to comply with the conditions of Land Development Regulations or an order granting the development permission under which the development was commenced or is continued,

but does not include—

(*i*) the carrying out by any government agency of any works on land within the boundaries of a highway, road or public street for maintenance purposes ;

(*ii*) the carrying out by any government agency or public utility company or authority of any work for the purpose of inspecting, repairing or renewing any sewers, drains, mains, pipes, cables, powerlines, lighting, traffic or telephone pole or other apparatus or the like ;

(*iii*) the breaking open of a highway, road or public street for any of the purposes in sub-clause (ii) ;

(*iv*) the carrying out of works for the maintenance, renewal, improvement or alteration of any structure, if the work affects only the interior of the structure or colour or decoration of the exterior but does not otherwise materially affect the external appearance of the structure ;

(*v*) the use of any structure or land devoted to dwelling uses for any purposes customarily incidental to enjoyment of the dwelling ;

(*vi*) the use of any land for agricultural purposes ;

(*vii*) excavations, including the making of wells, in the ordinary course of agricultural operations ;

(*viii*) the construction of an unmetalled road intended to give access to land solely for agricultural purposes ;

(*ix*) a change in the use of land or a structure from a use within a class designated in Land Development Regulations to another use in the same class ; and

(*x*) a change in the form of ownership of any plot or structure or the creation or termination of easements or covenents concerning land development ;

(10) "Local Area Authority" means the Local Area Authority established under section 15 ;

(11) "Local Council" means a Local Council constituted under the North-West Frontier Province Local Government Ordinance, 1972 (N.W.F.P. Ord. No. II of 1972) ;

(12) "Local Area Plan" includes plans prepared by or for a Local Area Authority ;

(13) "member" means a member of the Board and includes the Chairman ;

(14) "municipal body" includes any municipal committee, municipal corporation, or other general purpose organization for local government constituted by or operating under a Provincial law relating primarily to municipal organization and administration and any department, committee, board, officer, body or unit thereof ;

(15) "owner" includes the person for the time being receiving the rent of land and building, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive the same if land or building were let to a tenant ;

(16) "person" includes any individual, company or association or body of individuals, including defence co-operative housing societies, whether incorporated or not or any government agency ;

(17) "planning agency" includes the Prosvincial Planning and Development Deparment, the Provincial Urban Development Board, Local Area Authority and any other government agency engaged primarily in planning for development ;

(18) "prescribed" means prescribed by rules ;

(19) "provincial concern" includes those subjects, matters, policies, areas, projects, schemes, sites, works or facilities having important implications for provincial development ;

(20) "Regulations" means regulations made under this Act ;

(21) "rules" means rules made under this Act ;

(22) "structure" includes anything constructed or installed or portable, the use of which requires a location on a plot of land, movable structure while it is located on land which can be used for housing, business, commercial, agricultural or office purposes either temporarily or permanently, and fences, billboards, pool, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs whether located on a rock, tree, separate structure or part of another structure ;

(23) "urban area" means any area within the jurisdiction of a town or municipal committee and includes any other area which Government may, by notification in the official Gazette, declare to be urban area for the purposes of this Act.

CHAPTER II—CONSTITUTION AND FUNCTIONS OF THE BOARD

3. **Establishment of the Board.**—(1) As soon as may be after the commencement of this Act, Government shall, by notification, establish a Board to be called the Provincial Urban Development Board, North-West Frontier Province, to perform the functions assigned to it under this Act.

(2) The Board shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Act and the rules, to acquire and hold property, both movable and immovable, and shall by its name sue and be sued.

4. **Appointment of members.**—(1) The Board shall consist of such number of members not exceeding nine, as Government may from time to time appoint, of whom one shall be appointed as Chairman of the Board.

(2) The Chairman or any member, as designated by Government, shall be the Chief Executive of the Board.

(3) The members other than *ex officio* members shall be appointed for a period of three years and on such terms and conditions as may be determined by Government ; provided that Government may extend such term of office by such further period as it deems fit.

(4) No member appointed by virtue of his office shall continue to be member if he ceases to hold that office.

(5) Any member other than *ex officio* member may, at any time before the expiry of his term, upon three months' notice in writing to the Chairman or, in the case of Chairman to Government, resign his office, or upon similar notice, be removed from office by Government without assigning any reason.

5. **Disqualification of members.**—No person shall be or shall continue to be a member who—

(*a*) is or at any time has been convicted of an offence involving moral turpitude ; or

(*b*) is or at any time has been adjudicated insolvent ; or

(*c*) is a lunatic or becomes of unsound mind ; or

(*d*) is or at any time has been disqualified for employment in, or dismissed from, the service of Pakistan ; or (*e*) is under the age of twenty-one years ; or

(*f*) is not a citizen of Pakistan.

6. **Appointment of officers, advisers and other employees.**—(1) The Board may, subject to such general or special orders as Government may from time to time give, appoint such officers, advisers and employees as it considers necessary for the efficient performance of its functions, on such terms and conditions as it may determine.

(2) The Board may employ such officers, experts, advisers, consultants and other persons as may be transferred to it by Government, on such terms and conditions as may be determined by Government.

(3) The Chairman, in cases of urgency, may appoint such officers, advisers, consultants and other employees as may be necessary :

Provided that every appointment made under this sub-section shall be reported to the Board without unnecessary delay, and shall not continue beyond six months unless approved by the Board.

(4) The Board may associate with itself in such manner, on such terms and for such period as it may deem fit, any person whose assistance or advice it may deem necessary in carrying out any of the provisions of this Act :

Provided that a person associated under this sub-section for any purpose shall not have a right to vote and shall not be deemed to be a member for that or any other purpose ; but he shall have a right to take part in the discussion of the Board.

7. **Meetings of the Board.**—(1) The meetings of the Board shall be held at such times and at such places as may be prescribed :

Provided that until rules are made in this behalf, such meetings shall be held at such times and at such places as may be determined by the Chairman :

Provided further that in case of emergency the Chairman may call a meeting of the Board at any time at a notice of three days.

(2) The quorum necessary for transacting business at a meeting of the Board shall be one-third of the total membership of the Board.

(3) Each member, including the Chairman shall have one vote but in the event of an equality of votes, the Chairman shall have a second or casting vote.

(4) The meeting of the Board shall be presided over by the Chairman, and, in his absence, by a member authorised by him in this behalf, and in default of such authorization by a person elected for the purpose by the members present from among themselves.

(5) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Board.

8. **Committees.**—The Board may constitute such financial, technical, advisory or other committees as may be necessary for carrying out the purposes of this Act.

9. **Functions of the Board.**—In order to achieve effective integration of provincial urban development planning with development planning by Federal, regional and local planning agencies and to ensure that proper consideration is

given to special aspects or implications of economic and social planning, and to accomplish other objectives of this Act, the Board shall, subject to such directions as Government may from time to time give, formulate and amend long-term, medium-term and short-term policies for development of urban areas in the North-West Frontier Province, hereinafter referred to as " Development Policies ".

10. **Review of public urban development activities.**—(1) In order to secure compliance with urban development policies or urban development plans and Land Development Regulations, or otherwise to ensure that urban public development activities are adequately coordinated or conducted in accordance with accepted planning practices and procedures, the Board may review activities undertaken or to be undertaken by government agencies in carrying out development plans, programmes or schemes of provincial concern.

(2) For the purposes of this section, the Board may—

(*a*) require any government agency to file records, reports or plans at such time as may be appointed ;

(*b*) require consultations ;

(*c*) make inspections ;

(*d*) require the obtaining of permits from the Board prior to undertaking specified types of actions ; and

(*e*) advise or direct government agencies to take corrective action in instances of non-compliance with applicable urban development policies or development plans, planning positions, Land Development Regulations or other regulations, permits or standards.

11. **Inventory and annual planning review reports.**—(1) The Board shall prepare and maintain accumulative inventory containing reference to or summaries of proposed or approved development policies, development plans, programmes, schemes and planning positions providing information useful to the performance of its functions.

(2) The Board shall prepare and submit to Government Annual Planning Review Reports describing significant relationships among the various items contained in the inventory then current, identifying any inconsistencies or problems of coordination and recommending measures for their correction or solution.

(3) The Government shall cause the Annual Planning Review Reports to be laid before the Provincial Assembly.

12. **Regulation of development in provincial control areas.**—(1) The Board may identify and define the boundaries of areas which contain, or are influenced by or influence public facilities, public investments, natural resources, or other resources of provincial concern, which may be adversely affected unless protected by adequate and effective Land Development Regulations.

(2) If upon the recommendation of the Board, Government finds that such protection is not adequate or effective in an area so defined, or that existing Land Development Regulations are unduly restrictive so as to impair the utilization of such facilities, investments or resources, Government may, by notification, declare such area to be a Provincial Control Area.

(3) The Board may adopt Land Development Regulations for a Provincial Control Area.

(4) The submission, approval, administration and enforcement of the Land Development Regulations shall be governed *mutais mutandis* by the provisions of Chapter V.

13. **Provincial physical development plans and programmes.**—(1) The Board may, upon its own initiative or at the request of any government agency, and if so required by Government, shall, prepare a plan or programme for particular development project, scheme or site of provincial concern.

(2) If Government is of opinion that any area, site or project of provincial concern under the jurisdiction of another planning agency is not adequately serviced by such other agency, Government may, by notification, provide for the preparation by the Board of an appropriate plan for the area, site or project.

(3) If directed by Government, the Board shall prepare a provincial urban physical development plan to be integrated with a provincial economic development plan or adopted separately, as may be directed.

(4) The provisions of Chapter III relating to the preparation, contents and approval of Local Area Plans shall apply *mutatis mutandis* to the making of plans by the Board under sub-sections (1), (2) and (3), subject to such modifications as may be directed.

14. **Other functions of the Board.**—(1) The Board may provide technical guidance and support for the development and coordination of urban planning in the Province, including the provision of technical services, personnel or financial assistance to municipal bodies, for projects approved by the Board and for this purpose enter into contract with any municipal body.

(2) In connection with the performance of its functions, the Board may—

(*a*) establish and maintain central technical planning and research facilities for urban areas ;

(*b*) conduct training programmes and seminars on urban planning ;

(*c*) prepare and distribute brochures and guidelines, model development regulations, including Land Development Regulations, or other materials for use by planning agencies or other government agencies ;

(*d*) prescribe procedures, requirements or standards to be followed by other planning agencies, as may be appropriate to promote or protect provincial interest in the urban areas ;

(*e*) undertake research in urban planning ;

(*f*) promote professional organizations in urban planning ; and

(*g*) perform any other functions assigned to it by Government.

CHAPTER III—LOCAL AREA AUTHORITIES

15. **Establishment of local area authorities.**—(1) When the Board is of the view that the implementation of provincial urban policies is of sufficient importance, requires considerable investment and local area planning, it may, with the prior approval of Government, by notification, establish a Local Area Authority to undertake detailed planning and implementation in a local area.

(2) The boundaries of the local area shall be such as may be defined by the Board.

16. **Delegation of functions.**—The Board may delegate all or any of its functions in respect of the local area to the Local Area Authority.

17. **Principal planning and implementation of functions of Local Area Authority.**—(1) In addition to other functions assigned to it under this Act, such Local Area Authority shall engage in a continuing planning process, and the objectives of the process, the planning tasks, the manner of performance and the type of documents to be produced shall be such as may from time to time be specified by the Board.

(2) The objectives of planning process include planning for land development and implementation thereof for all parts of the local area which may be related to any of the following :—

(*a*) the location, distribution, characteristics, and intensity of uses and development of land for agricultural, residential, commercial, industrial, public or other purposes ;

(*b*) the development, improvement or provision of public facilities and services such as transportation and traffic circulation system or their components ; industrial, public utility, educational, health, sanitation, community and recreational facilities, and other environmental facilities and services ;

(*c*) the location, distribution, characteristics, rehabilitation and development of public and private housing ;

(*d*) the preservation and protection of open spaces and historical or archaeological sites ;

(*e*) the designation, improvement, clearance, re-development or renewal of blighted, insanitary or otherwise deteriorated area and the relocation and rehabilitation of their residents ;

(*f*) the location and development of new or expanded urban areas ;

(*g*) the acquisition of land for public purposes ;

(*h*) the allocation of public land, including the terms and conditions of sales or leases ; and

(*i*) any other objectives as may be prescribed.

(3) The planning tasks include—

(*a*) the making of studies and surveys of population distribution and characteristics or any other factors relating to the objectives or subjects set out in sub-section (2) ;

(*b*) the identification of major problems relating to, and opportunities for, development of the local area ;

(*c*) the analysis, making of projections or forecasts, evaluation, and testing of or with respect to—

(*i*) the existing development conditions, policies or programmes ;

(*ii*) past or prospective changes in development condition ; or

(*iii*) proposed development policies or programmes, or alternatives.

(4) The implementation task includes maintaining of such establishment and providing with such resources and vesting it with such powers as are required for the successful implementation of approved plans.

(5) The types of documents to be produced by a Local Area Authority in the course of performing its tasks under this section may include any of the plans described in section 18 and other documents referred to in section 20.

(6) In the performance of its functions under this section, the Local Area Authority shall follow such directions as the Board may from time to time give.

18. **Local Area Plans.**—(1) Local Area Plans shall be known by such titles or descriptions as the Local Area Authority in its discretion may select, subject to specifications found in the notification establishing or designating the Local Area Authority or as otherwise prescribed.

(2) A Local Area Plan shall consist of a written statement summarising or setting forth findings, recommendations, proposed policies, plans, programmes and schemes described in sub-section (3) of section 17, together with such reports on underlying studies, surveys, analysis, evaluations, projections, forecasts or testing, and such explanatory maps, charts or other supplemental materials, as are declared by the Local Area Authority to be part of the Local Area Plan.

(3) The territorial and time dimensions, range of subject matter and degree of specificity of Local Area Plans shall be determined by the Local Area Authority subject to specification made in the notification designating the Local Area Authority or as may be otherwise prescribed.

(4) A Local Area Plan shall include a statement identifying—

(*a*) those provisions of the Local Area Plan which may be included or reflected in Land Development Regulations to be adopted under Chapter V or to which existing Land Development Regulations shall be made to conform ;

(*b*) any other provisions of the Local Area Plan to which all government agencies shall conform in taking decisions or actions, other than those incorporated in Land Development Regulations which are likely to effect future development in the local area ; and

(*c*) any other provisions which are intended to serve as guides to the making of decisions relating to such future development.

19. **Public participation, review and approval of Local Area Plan.**—(1) Prior to submitting a proposed Local Area Plan for approval under sub-section (2), the Local Area Authority shall make copies available for public inspection or purchase and publish a notice inviting interested persons, including government agencies, to make written representations or request a hearing ; and the Local Area Authority shall designate one of its officers or a committee of its officers to receive the written representations or conduct a hearing, and submit a report to the Local Area Authority with his or its recommendations.

(2) The Local Area Authority shall submit the proposed Local Area Plan as originally proposed or modified together with a record of proceeding taken under sub-section (1) to the Board for review which shall transmit the proposed Local Area Plan to Government, together with its recommendations.

(3) Government may approve Local Area Plan as proposed or approve it with such modifications as it may deem necessary, or return it to the Local Area Authority with appropriate instructions and such approval shall be expressed by Government in such manner as it may deem appropriate.

(4) If the Local Area Plan calls for adoption of Land Development Regulations or the amendment of existing Regulations, the Local Area Authority shall

prepare and submit such regulations or amendment for approval pursuant to Chapter V within sixty days of approval by Government and all findings, recommendations, policies, plans, programmes and schemes incorporated in the Local Area Plan shall come into operation on such date as Government may appoint in this behalf.

(5) Government, in consultation with the Board, may make rules prescribing procedures and requirements for public participation and for submission, review and approval of Local Area Plans under this section ; and such rules may provide for the following, among other matters, namely :—

(*a*) the time, form, contents, media and other requirements for publication of any notice or notification ;

(*b*) the designation of places where copies of proposed Local Area Plans may be inspected or purchased and the fixing of prices therefor ;

(*c*) the conduct of hearings ;

(*d*) the period for making representations with regard to a proposed Local Area Plan, which may be not longer than sixty days from the date of the notice inviting such representations ; and

(*e*) any other matter which Government may deem appropriate.

(6) The provisions of this section and the procedures and requirements applicable thereto shall apply to public participation in and the submission, review and approval of any revisions or additions to a Local Area Plan ; provided, however, that Government may, in the rules made under this section, exempt specified types of minor revisions or additions from all or any of such provisions, procedures or requirements.

20. **Planning Position.**—(1) At the request of any government agency or upon its own initiative, a Local Area Authority may conduct studies, make findings, form views and take positions regarding the feasibility, location, or any other features, of a particular public or private development scheme, project or work which in the judgment of the Local Area Authority may have important implications for planning under its jurisdiction, but with respect to which no approved Local Area Plan or other development plan duly sanctioned by government authority explicitly or implicitly provides adequate guidance or directions.

(2) The Local Area Authority may declare any position so taken to be known as a Planning Position.

(3) The statement of a Planning Position shall include a statement or summary of the findings and reasoning on which it was based, and shall be recorded, registered, filed and published in such manner as may be prescribed.

21. **Adoption of Land Development Regulations.**—A Local Area Authority may adopt Land Development Regulations pursuant to Chapter V, if so authorised in the notification establishing or designating the Local Area Authority or in a subsequent notification.

22. **Implementation of approved plan.**—The Local Area Authority shall be responsible for implementing the approved Local Area Plan either directly itself or through other government agencies as may be prescribed.

23. **Modification of delegation, dissolution, etc.**—The Board may, by notified order,—

(*i*) modify the terms of the delegation of functions to the Local Area Authority ; or

(*ii*) dissolve the Local Area Authority and transfer its functions to another local planning agency ; or

(*iii*) amalgamate the Local Area Authority with another local planning agency.

24. **Completion of Local Area Development.**—After a Local Area Authority has implemented the Local Area Plan, the Board may dissolve the said Local Area Authority and hand over the local area to a Local Council having jurisdiction over the said local area.

CHAPTER IV—FINANCING

25. **Finances for the Board.**—The administrative and developmental expenses for the functioning of the Board shall be obtained by Annual Development Grants from Government, bank loans, borrowing from financial institutions, debentures and profits from the developmental activities of the Board and the projects financed by the Local Area Authorities and the municipal bodies.

26. **Finances for the Local Area Authority.**—The Board shall provide recurring expenses and development grants to the Local Area Authority to carry out the functions assigned to it.

27. **Finances for the Municipal Bodies.**—The Board may provide funds for projects undertaken by the municipal bodies for the implementation of Development Policies of the Board on such terms and conditions as may be prescribed.

28. **Loans.**—Subject to the provisions of this Act, the rules, the Local Authorities Loans Act, 1914 (IX of 1914), and any other law for the time being in force, the Board may, with the previous sanction of Government, raise loans in the prescribed manner and make suitable arrangements to the satisfaction of Government for the repayment of the loans.

29. **Accounts.**—(1) Accounts of the receipts and expenditure of the Board shall be kept in the prescribed manner and form.

(2) An annual statement of the accounts shall be prepared after the close of every financial year and shall be transmitted to Government by such date as may be prescribed.

30. **Audit.**—(1) The accounts of the Board or the Local Area Authority shall be audited in such manner, after such interval and by such authority as may be prescribed.

(2) The audit authority shall have access to all the relevant books and other documents pertaining to accounts of the Board and the Local Area Authority concerned.

(3) On the completion of audit, the audit authority shall, in the prescribed manner, submit to Government an audit report :

Provided that in the case of a Local Area Authority, a copy of such report shall be sent by the audit authority to the Board.

CHAPTER V.—LAND DEVELOPMENT REGULATIONS

31. **Adoption and application of Land Development Regulations by planning agencies.**—(1) A planning agency may, subject to the approval of the Board, adopt Land Development Regulations for the purpose of regulating all or specified aspects of land development.

(2) Land Development Regulations shall be applicable within the whole of a Provincial Control Area or Local Plan Area or within any part thereof specified in the Land Development Regulations.

(3) All planning agencies shall be subject to Land Development Regulations and the rules relating thereto.

32. **Contents of Land Development Regulations in general.**—(1) Land Development Regulations may contain general provisions applicable to all or specified types of land development, located throughout, or in specific parts of the regulated area, and may provide that land development may not be undertaken without a development permit, consisting of a General Development Permit or Special Development Permit, as provided in this Chapter.

(2) Land Development Regulations may provide for—

(*a*) land development for which a General Development Permit may be granted as of right on compliance with the terms of the Land Development Regulations ;

(*b*) land development for which a Special Development Permit may be granted as provided under section 33 ;

(*c*) land development which is exempt from the requirement of obtaining a development permit but otherwise subject to the terms of the Land Development Regulations ;

(*d*) land developmnt which is exempt from the Land Development Regulations.

(3) Land Development Regulations may empower the planning agency to—

(*a*) allow specified types of land development with prior permission ; or

(*b*) allow specified types of land development upon the obtaining of a General Development Permit ; or

(*c*) allow, by Special Development Permit, land development that will not be substantially inconsistent for the purposes of section 38.

(4) Land Development Regulations may divide a regulated area into zones.

33. **Special Development Permits.**—(1) Land Development Regulations may empower the planning agency to issue Special Development Permits for any of the following matters, namely :—

(*a*) to grant permission to depart from general requirements, where compliance would cause practical difficulties, under specified circumstances ;

(*b*) to grant permission to sub-divide land into plots, on the conditions—

(*i*) of dedication by the applicant of land or other property for the provision of streets, other rights-of-way, utilities, parks and other open spaces of a quality and quantity not more than reasonably necessary for the proposed land development ;

(*ii*) of the payment of an equivalent amount of money for the provision of any such facilities if the planning agency finds that the dedication of land or property therefor under sub-clause (i) is not feasible ; and

(*iii*) of the assumption or discharge of such other obligations by the land developer as may be required or permitted under the rules ;

(*c*) to depart from general requirements as to use of land, under specific circumstances—

(*i*) where and to the extent necessary to permit some economic use of the land ;

(*ii*) to revise zonal boundaries ;

(*iii*) to instal community service facilities ;

(*iv*) for specified types of proposed land development, based on a finding by the planning agency that the proposed development is likely to be compatible with permitted development in substantially all land in the vicinity of the proposed development ; and

(*d*) for any other purposes, and under any other specified circumstances subject to such appropriate restraints on the exercise of such discretion as may be necessary to accord adequate protection to neighbouring property owners and the community.

(2) A planning agency may attach to a Special Development Permit conditions which may concern any matter subject to regulation under this Act, including means for—

(*a*) minimising any adverse impact of the proposed development upon other land, including the hours of use and operation and the type and intensity of activities which may be conducted ;

(*b*) controlling the sequence of land development, its commencement and completion ;

(*c*) controlling the duration of use of land development and the time within which any structure must be removed ;

(*d*) assuring that the land development is maintained properly in the future;

(*e*) designating the exact location and nature of development ; and

(*f*) establishing more detailed records by submission of drawings or maps of specifications.

(3) The Land Development Regulations shall prescribe procedures for the submission and determination of an application for a Special Development Permit as may be prescribed which shall provide for, among other things,—

(*a*) the time, form, contents, media and any other requirements for the publication of a notice of hearing or of the opportunity to interested persons to file written representations ;

(*b*) requirements for giving individual notice to the applicant and any other designated types of persons or property owners with special interest in the matter ;

(*c*) the designation of a hearing officer or committee, or of persons to receive written representations ;

(*d*) the conduct of the hearing ;

(e) the form, contents, service and filing of the findings and determination of the planning agency and of any order based on the determination ; and

(f) the imposition and amounts of fees to be charged from the applicant or others in connection with such proceedings.

34. **Procedures for General Development Permit.**—Land Development Regulations shall prescribe requirements and procedures for the submission and determination of applications for General Development Permits.

35. **Approval of Land Development Regulations for restrictions imposed by other Government Agencies.**—(1) Regulations of or restrictions upon land development made or imposed by a government agency other than a planning agency shall be subject to the prior approval of the planning agency for the area concerned if embodied in or required to be embodied in the provisions of—

(a) local Area Plan or any other development plan ;

(b) lease terms or other restrictions, if any, imposed in the distribution of plots or structure in a housing scheme or other large scale development projects developed or owned by a government agency or cooperative housing society or subsidised by Government or Federal Government ; or

(c) general rules, regulations or orders of a government agency which apply to the allocation of public land for specified purpose.

(2) The planning agency may approve any such provisions, notwithstanding their inconsistency with general requirements of existing Land Development Regulations, for the purpose of permitting less restrictive standards for housing or improving the living environment of groups of refugees, low income persons or industrial workers, and in such event the existing Land Development Regulations shall be amended or deemed to be amended accordingly.

(3) Government may, by notification, delegate to the planning agency for the area, the power and responsibility of any such other government agency specified in sub-section (1) and such delegation may be revoked or amended in the same manner.

36. **Public participation and review and approval of Land Development Regulations.**—The provisions of section 19, other than sub-section (5) thereof, relating to Local Area Plans shall apply *mutatis mutandis* to the review and approval of Land Development Regulations, and to public participation in such procedures, except as otherwise provided in this Chapter.

37. **Delegation of administrative or enforcement functions.**—(1) Government, after consultation with the Board, may delegate to another government agency all or specified aspects of the functions of preparation, adoption, administration or enforcement of Land Development Regulations, in respect of all or specified parts of a Provincial Control Area.

(2) Government, after consultation with a planning agency, may delegate to another government agency all or special aspects of the functions of administration and enforcement of Land Development Regulations, in respect of all or specified parts of the planning area under the jurisdiction of the planning agency.

(3) The delegation shall be made by notification, which shall describe the scope of the functions delegated and terms and conditions for their exercise,

the area or areas in which they are to be performed, and the working relationships to be maintained with the planning agency from which the functions were transferred.

(4) Government may, by notification, revoke or amend the terms and conditions of the delegation at any time it deems fit.

38. **Regulation of land for acquisition by government agencies.**—(1) Land Development Regulations may designate land reserved for future acquisition by government agencies, if provided in or consistent with a development programme proposing specific public actions and contained in Local Area Plan previously adopted under this Act, or in some other development plan previously sanctioned by Government.

(2) Areas designated for future public acquisition may include land for—

(*a*) highways, roads, streets, or other public ways proposed for construction or alteration ;

(*b*) proposed schools, recreation facilities, transportation facilities, such as airport and bus and railroad depots, government office buildings or other public buildings or works ;

(*c*) proposed parks, nature preserves, or other open spaces ;

(*d*) housing schemes or projects, refugees rehabilitation schemes, urban renewal or redevelopment schemes or any other land development schemes with respect to which the concerned government agency is, or may be vested with the power of, land acquisition authority ; or

(*e*) any other public purpose.

(3) The land designated by Land Development Regulations for such reservation shall be subject to restrictions under this section not beyond the time shown in the Land Development Regulations for their expiration, which shall not be more than the period specified in the plan for completion of the development programme and in no event more than five years from the date of adoption of the Land Development Regulations ; provided, however, that the land may again be designated for reservation in an amended or supplemental plan adopted in accordance with the procedures prescribed for the adoption of Land Development Regulations.

(4) Land designated as reserved land shall be subject to acquisition at any time after the coming into force of the Land Development Regulations containing the reservations, and the Regulations may grant to the public sponsor of the development scheme or project for which the land is reserved (hereinafter to be referred to as "the sponsor") a first option to purchase the reserved land at whatever time it may be put to sale.

(5) An owner of private property who is not entitled to a development permit under section 32 may nevertheless apply for a Special Development Permit if he claims to be unreasonably affected by the reservation of land for public development, upon such an application the planning agency shall determine after notice and givin an opportunity of being heard whether the resulting hardships will not, within a reasonable time, be off set by benefits from a development scheme or project for construction of a proposed public facility or work, and in the event a hardship is found to exist, the planning agency shall give notice of its findings of hardship to the sponsor.

(6) If the sponsor has not secured title or commenced compulsory acquisition proceedings within six months after the date of the notice of a finding of hardship, the planning agency shall, if the sponsor approves, issue a permit for development which will as little as practicable increase the cost of the proposed public development for which the land is reserved, and if the sponsor does not approve the granting of such permission, the agency shall assess damages for the hardship which shall be paid by the sponsor to the applicant.

(7) Where the applicant for permission to develop reserved land is a government agency other than the sponsor, the planning agency may grant the application only if it—

(*a*) determines that an overriding public interest will be served ;

(*b*) determines that the granting of the application will not seriously prejudice the carrying out of the public development scheme or project for which the land is reserved by increasing the cost of the public development or otherwise ;

(*c*) attaches conditions to the grant of development permission in keeping with the determination under clauses (a) and (b).

(8) The procedures for hearing and determining the applications for development permission under sub-sections (5), (6) and (7) shall be those prescribed generally with respect to applications for Special Development Permits, or prescribed specifically for the purpose of this section, and in any event shall accord the sponsor an opportunity to participate in the proceedings.

39. **Land development in contravention of Land Development Regulations.**—No person shall engage in land development or permit land development except in accordance with Land Development Regulations and rules relating thereto, and upon obtaining a development permit and complying with its conditions where required.

40. **Removal or prevention of violations.**—(1) If a planning agency is of the opinion that any of the provisions of its Land Development Regulations or of any rules relating thereto or any conditions of a development permit are being or have been violated, it may cause a notice in writing to be served on any person responsible for the violation or permitting it to continue.

(2) The notice shall indicate the nature of the violation and the planning agency may order such action as it may deem appropriate to correct the violation, including—

(*a*) the discontinuance of any illegal work being done on, or activities being conducted in relation to, land or buildings ;

(*b*) the removal of unlawful conditions on the alteration, removal or demolition of illegal buildings or of illegal additions, alterations or structural changes ;

(*c*) any other measures authorised by this Act, or by Land Development Regulations, or by rules to ensure compliance with Regulations or with the conditions of development permits.

(3) The order may specify the period within which the violation shall be corrected and in the event of non-compliance with the order the planning agency may itself cause appropriate measures to be taken to effect compliance, the expenses whereof shall be recoverable from the owner or owners in the manner provided for the recovery of arrears of land revenue.

(4) The giving of notice and making and service of an order under this section shall not be a pre-requisite to the initiation of, and shall not bar any prosecution under this Act, and the planning agency may take action under this section whether or not prosecution has been initiated.

41. **Power of entry on land or in building.**—(1) A planning agency may authorise any person to enter upon or into any land or building with or without assistants or workmen for any of the following purposes, namely :—

(*a*) making any inquiry, inspection, survey or valuation ;

(*b*) taking levels and marking boundaries and lines, by planning marks, cutting trenches or otherwise ;

(*c*) ascertaining whether any land or building is being used or has been used or erected in contravention of any Land Development Regulations or of the conditions of any development permit ; or

(*d*) doing any other acts necessary for the efficient administration and enforcement of Land Development Regulations.

(2) No such entry shall be made between the hours of sunset and sunrise ; no dwelling house and no structure which is used as a dwelling place shall be so entered, unless with the consent of the occupier, without giving not less than twenty-four hours previous written notice to the occupier or, if there be no occupier, to the owner of the dwelling house or structure, sufficient notice shall in every instance be given when the premises may otherwise be entered without notice, to enable women to remove themselves to some part of the premises where their privacy will not be disturbed and due regard shall always be had, as far as may be compitable with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

(3) The planning agency shall be responsible for any damages that may be caused in connection with the work done under sub-section (1).

42. **Designation or appointment of Appeal Boards.**—(1) Government shall constitute and appoint an Appeal Board for each Provincial Control Area to perform the functions assigned to such Board under this Act ; and where all the functions of preparation, adoption, administration and enforcement of Land Development Regulations have been delegated to another government agency, a committee of officers of the Board may be designated as the Appeal Board in lieu of the creation of a new body.

(2) Government shall constitute and appoint an Appeal Board for each plan area to perform the functions assigned to Appeal Board under this Act ; a committee of officers of the Board may be designated as the Appeal Board for a Local Plan Area, and if so designated the committee shall perform its functions under this Act within the Local Plan Area.

(3) An Appeal Board shall consist of three members one of whom shall be designated as its Chairman and at least one member shall be a person who, in the opinion of the appointing authority, has special knowledge of, or practical experience in matters relating to, urban planning or real estate valuation.

43. **Appeals from orders or determinations of planning agency.**—(1) Any person aggrieved by a determination or order of a planning agency may appeal to the appropriate Appeal Board within thirty days from the date of notice of the determination or order.

(2) The form and manner of making an appeal, the fees or charges to be paid by applicants, the conduct of hearings, the timing, form, contents, media and any other requirements regarding notice of hearings and the filing and service of determination shall be such as may be prescribed.

(3) An Appeal Board shall have the power to summon and enforce the attendance of witnesses and to compel the production of documents by the same means and, so far as may be, in the same manner as is vested in a Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908).

(4) In making its determination the Appeal Board may affirm or reject the determination or order appealed from, or modify it, and in modifying a determination or order granting development permit the Appeal Board may alter or remove any of the conditions under which it was granted, or impose other conditions ; and the Appeal Board may also increase or decrease any assessment made under sub-section (6) of section 38.

44. **Finality of determination or order of a planning agency.**—The determination or order of a planning agency or of an Appeal Board where an appeal has been preferred shall be final.

45. **Penalties.**—(1) Any person who violates any of the provisions of Land Development Regulations or of a rule relating thereto, or of the conditions of a development permit, or who obstructs entry as provided in section 41, shall be punished—

(*a*) with a fine which may extend to one thousand rupees or, in default of payment, with simple imprisonment which may extend to six months ; and

(*b*) in case of continuing violation with a further fine which may extend to one hundred rupees for each day after the first day during which the violation continues.

(2) If the person committing an offence punishable under this Act is a company, firm or other association or body of individuals whether incorporated or not and if it is proved that the offence was committed with the consent or connivance of, or is attributable to, any neglect on the part of any officer of, or other individual concerned with, its management, such officer or individual shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished.

46. **Complaint on which prosecution may be based.**—No prosecution for any offence punishable under this Act shall be instituted except upon the written complaint of the chief officer of the planning agency or a person generally or specially authorised by the planning agency.

47. **Jurisdiction of the Courts in respect of offences.**—(1) All offences under this Act or the rules shall be tried by a Magistrate of the first class.

(2) No person may be so tried unless the complaint of the offence has been made to such Magistrate within six months of the commission thereof.

48. **Interim control of land development.**—(1) In the notification establishing a Local Plan Area or Provincial Control Area, or in any subsequent notification, Government may declare that the entire area or a specified part or parts thereof shall be subject to interim control, without the prior permission of the planning agency having jurisdiction over the area.

(2) Government shall prescribe procedure for the submission and determination of applications for such permission to the planning agencies under their respective jurisdictions.

(3) The procedures, to be known as Interim Control Procedures, shall *mutatis mutandis* conform with the requirements of sub-section (3) of section 33.

(4) After the date of the declaration under sub-section (1), the planning agency having jurisdiction over any area subject to interim control shall have exclusive authority to regulate land development within that area.

(5) Any municipal body or other government agency having and exercising town planning control or development control over the area or any part of it shall refer to the planning agency for its disposition all applications for development permission until such time as the procedures prescribed under sub-section (5) may require the making of such applications directly to the planning agency.

(6) In passing on an application by or on behalf of a land owner for development permission under this section—

(*a*) the planning agency shall take into consideration any town planning or development control regulations or provisions of an approved plan of a municipal body or other agency which were applicable to the property of the land owner on the date of the notification under sub-section (1), subject to any modification the planning agency may deem to be necessitated by changed circumstances in the vicinity of the proposed development reflected in decisions of Government or the Federal Government or reflected in a Planning Position therefor declared by the planning agency ; or

(*b*) in the absence of any such regulations, plan or Planning Position, the planning agency shall prior to making its determination declare its Planning Position on a land use pattern for the vicinity of the proposed development, taking into account the interests of the community as well as those of the proposed development.

(7) This section shall not be construed as diminishing the authority of municipal bodies or other government agencies to make and enforce building control bye-laws or regulations, except to the extent that may be inconsistent with town planning or development control, plans, Planning Positions or determinations or orders followed, declared or made under this Act.

CHAPTER VI.—MISCELLANEOUS PROVISIONS

49. **Members, officers, employees, etc., to be public servants.**—The Chairman, members, officers, advisers, consultants, or other employees of the Board shall, while acting or purporting to act, in pursuance of the provisions of this Act, or the rules or regulations made thereunder, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

50. **Protection of action taken in good faith, etc.**—No suit, prosecution or other legal proceedings shall lie against Government or the Board or against officers, advisers, consultants or other employees of the Board, for anything done or intended to be done in good faith under this Act, or for any damage caused or likely to be caused by any such thing.

51. **Power of Government to make rules.**—(1) Government may, by notification, make rules for the purposes of carrying into effect the provisions of this **Act.**

(2) In particular and without prejudice to the foregoing power, such rules may provide for all or any of the following matters and all matters incidental, consequential and supplemental thereto, namely :—

(a) the prescription of records, reports and returns to be maintained, prepared or published ;

(b) the regulation of matters pertaining to appointment and terms and conditions of service of officers, servants and other employees of the Board ;

(c) the administration, regulation, custody and investment of funds ;

(d) the maintenance of accounts and their audits ;

(e) the manner in which such agencies may be inspected and the powers of inspecting officials ;

(f) requirements or guidelines relating to the making of surveys and maps including the scales of maps ;

(g) the furnishing of copies of documents and the fees to be charged therefor ;

(h) meetings of the Board, the time and place and notice of such meetings ;

(i) any other matters which are required to be, or may be, prescribed under any of the provisions of this Act.

52. **Effect of provisions inconsistent with other laws.**—The provisions of this Act and of Land Development Regulations, rules and orders made thereunder shall have effect notwithstanding anything to the contrary contained in any other law, rules, regulations, bye-laws or orders for the time being in force, or in any contract or instrument having force by virtue of such law.

53. **Repeal.**—The Town Improvement Act, 1922 (Punjab Act IV of 1922), in its application to the North-West Frontier Province, and the North-West Frontier Province Urban Planning Ordinance, 1975 (N.W.F.P. Ordinance No. II of 1975), are hereby repealed.

ACT No. XXXVI OF 1975

An Act to amend the North-West Frontier Province Public Service Commission Act, 1973

WHEREAS it is expedient to amend the North-West Frontier Province Public Service Commission Act, 1973 (N.W.F.P. Act No. XIX of 1973), in the manner hereintfer appearing ;

AND WHEREAS the proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the North-West Frontier Province Public Service Commission (Amendment) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the 16th August, 1974.

2. **Amendment of section 3, N.W.F.P. Act No. XIX of 1973.**—In the North-West Frontier Province Public Service Commission Act, 1973 (N.W.F.P. Act No. XIX of 1973), in section 3, for sub-section (2) the following shall be substituted, namely :—

"(2) The Commission shall consist of such number of members not exceeding four, of whom one shall be the Chairman, as may be appointed by the Governor, on such terms and conditions as may be prescribed.".

3. **Repeal.**—The North-West Frontier Province Public Service Commission (Amendment) Ordinance, 1975 (N.W.F.P. Ordinance No. III of 1975), is hereby repealed.

ACT No. XXXVII OF 1975

An Act to provide for measures to remove and prevent traffic congestion and to regulate movement of vehicular traffic within the limits of Municipal committee, Peshawar

WHEREAS it is expedient to provide for measures to remove and prevent traffic congestion and to regulate movement of vehicular traffic within the limits of Municipal Committee, Peshawar ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the North-West Frontier Province Bus Stand and Traffic Control (Peshawar) Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "bus stand" means the stand provided by the Municipal Committee, Peshawar, for halting stage carriages ;

(b) "Commissioner" means the Commissioner, Peshawar Division, and includes an officer who may be appointed by Government to exercise the powers of Commissioner under this Act ;

(c) "Government" means the Government of the North-West Frontier Province ;

(d) "rules" means rules made under this Act ; and

(e) "stage carriage" means the stage carriage as defined in the West Pakistan Motor Vehicles Ordinance, 1965 (W. P. Ord. No. XI of 1965).

3. **Prohibition of establishing bus stand, etc.**—No person, company association plying stage carriages to, from or through the limits of the Munici Committee, Peshawar, shall establish or maintain within such limits any Stan

(Adda) or use any place, including a highway, road or street within the said limits, for picking up or setting down the passengers or halting the stage carriage, except at the place allotted for the purpose in the bus stand.

4. **Provision and maintenance of bus stand.**—The Commissioner may require the Municipal Committee, Peshawar, to provide and maintain within its limits bus stands at such places as may be approved by him.

5. **Shifting of stands.**—All existing Stands (Adda) within the limits of Municipal Committee, Peshawar, shall cease to function and be shifted to the bus stand within one month of the commencement of this Act, or within such further period as may be fixed by the Commissioner.

6. **Power of Commissioner.**—Notwithstanding anything to the contrary contained in any other law for the time being in force, or any decree, judgement or order of any Court or Authority, the Commissioner, for the purposes of this Act, may—

(a) acquire any land required for the bus stand, approaches and roads and eject forcibly any person in possession thereof, on payment of such compensation as may be determined by the Collector Acquisition in accordance with the principles laid down in the land Acquisition Act, 1894 ; and

(b) direct the Municipal Committee, Peshawar, to regulate the administration of bus stand established under this Act, in accordance with the rules framed for the purpose.

7. **Officer authorised to impound stage carriage.**—Any stage carriage found plying or at halt in contravention of any of the provisions of this Act or the directions issued by the Commissioner in pursuance of this Act shall be impounded by an officer authorised by the Commissioner in this behalf, or by any Police Officer not below the rank of an Assistant Sub-Inspector.

8. **Payment of rent.**—Any person, company or association using the bus stand, or using any land belonging to the Municipal Committee, Peshawar, for running a bus stand shall pay such rent to the Municipal Committee or to any person on its behalf as may be fixed by the rules, and any arrear of rent due from any such person, company or association shall be recoverable as arrears of land revenue.

9. **Delegation of Powers.**—The Commissioner may delegate any of the powers vested in him under this Act to any officer subordinate to him, or to the Municipal Committee, Peshawar, or any officer thereof.

10. **Exemption.**—The Commissioner may exempt any stage carriage or class of stage carriages from the operation of all or any of the provisions of this Act.

11. **Penalty.**—Any person who contravenes or attempts to contravene or abets the contravention of any provisions of this Act or any directions issued by the Commissioner in pursuance of this Act or the rules, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both, on a complaint by the Chairman, Chief Officer or Taxation Officer of the Municipal Committee, Peshawar, or by a Police Officer not below the rank of an Assistant Sub-Inspector.

12. **Rules.**—Government may make rules to carry out the purposes of this Act.

13. **Repeal.**—The North-West Frontier Province Bus Stand and Traffic Control (Peshawar) Ordinance, 1975 (N.W.F.P. Ordinance No. IV of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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PART I

Acts Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 17th April, 1975

The following Act of Parliament received the assent of the President on the 17th April, 1975, and is hereby published for general information :—

ACT No. XXXVIII OF 1975

An Act further to amend the Imports and Exports (Control) Act, 1950

WHEREAS it is expedient further to amend the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Imports and Exports (Control) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of the long title and preamble, Act XXXIX of 1950.**—In the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), hereinafter referred to as the said Act, in the long title and preamble, the words "for a limited period" shall be omitted.

3. **Amendment of section 1, Act XXXIX of 1950.**—In the said Act, in section 1, in sub-section (3), the comma and words ", and shall remain in force for a period of twenty-five years" shall be omitted.

4. **Amendment of section 4A, Act XXXIX of 1950.**—In the said Act, in section 4A, the words "other than an import licence issued under the Export Bonus Scheme" and the Explanation shall be omitted.

5. **General.**—In the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulation

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 18th April, 1975

The following Act of Parliament received the assent of the President on the 17th April, 1975, and is hereby published for general information :—

ACT No. XXXIX OF 1975

An Act further to amend the Land Reforms Regulation, 1972

WHEREAS it is expedient further to amend the Land Reforms Regulation, 1972, for the purpose hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :

1. **Short title and commencement.**—(1) This Act may be called the Land Reforms (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of the Land Reforms Regulation, 1972.**—In the Land Reforms Regulation, 1972, in paragraph 29,—

(a) after the words " this Regulation ", twice occurring, the words " or under the repealed Regulation " shall be inserted and shall be deemed always to have been so inserted ; and

(b) in the third proviso, in clause (a), for the figures, letters, words and comma " 31st day of March, 1975 " the figures, letters, words and comma " 30th day of September, 1975 " shall be substituted and shall be deemed to have been so substituted on the first day of April, 1975.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 23rd April, 1975

The following Acts of Parliament received the assent of the President on the 19th April, 1975, and are hereby published for general information :—

ACT No. XL OF 1975

An Act further to amend the Explosive Substances Act, 1908

WHEREAS it is expedient further to amend the Explosive Substances Act, 1908 (VI of 1908), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Explosive Substances (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 3, Act VI of 1908.**—In the Explosive Substances Act, 1908 (VI of 1908), hereinafter referred to as the said Act, in section 3, for the words and commas "transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to ten years, to which fine may be added" the words "death or imprisonment for life" shall be substituted.

3. **Amendment of section 4, Act VI of 1908.**—In the said Act, in section 4, for the words and commas "transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added" the words "imprisonment for life or any shorter term which shall not be less than seven years" shall be substituted.

Price : Ps. 37

[2132 Ex. Gaz.]

4. **Amendment of section 5, Act VI of 1908.**—In the said Act, in section 5, for the words and commas "transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added" the words "imprisonment for a term which may extend to fourteen years" shall be substituted.

5. **Insertion of new section 5A, Act VI of 1908.**—In the said Act, after section 5 amended as aforesaid, the following new section shall be inserted, namely :—

> "5A. *Forfeiture of property.*—A Court convicting a peron for an offence against this Act shall direct that the whole of his property shall stand forfeited to Government.".

ACT No. XLI OF 1975

An Act to provide for the regulation of the Baluchistan Constabulary in Baluchistan

WHEREAS it is expedient to provide for the regulation of the Baluchistan Constabulary in Baluchistan and for matters connected therewith or ancillary thereto ;

It is hereby enacted as follows :—

1. **Short title, application and commencement.**—(1) This Act may be called the Baluchistan Constabulary Act, 1975.

(2) It shall apply to the members of the Baluchistan Constabulary wherever they may be.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "active service" means service against an external aggressor or enemy, or against hostile tribes, raiders or other hostile persons, or persons cooperating with or assisting such aggressor, enemy, tribes, raiders or other hostile persons ;

(b) "Commandant" means a person appointed by the Federal Government to be the Commandant of the Baluchistan Constabulary under section 6 ;

(c) "custody" means the arrest or confinement of a person according to the usage of the service ;

(d) "member of the Constabulary" means a person other than a person appointed under section 6 by the Federal Government who, at the commencement of this Act, is serving in the Baluchistan Constabulary or who, after such commencement, is appointed to the Baluchistan Constabulary under this Act and has signed a recruiting-roll set out in the Schedule :

Provided that every person who has for a period of six months been in receipt of pay as a member of the Constabulary and has been borne on its roll shall be deemed to be a member of the Constabulary notwithstanding that he has not signed the said recruiting-roll;

(e) "Political Officer" means any Civil or Military Officer detailed by the Federal Government as Political Officer accompanying the force;

(f) "prescribed" means prescribed by rules made under this Act; and

(g) "the expressions", "assault", "criminal force", "fraudulently", "murder", "reason to believe" and "voluntarily causing hurt" have the meanings assigned to them, respectively, in the Pakistan Panel Code (Act XLV of 1860).

3. **Power to maintain Baluchistan Constabulary.**—There shall continue to be maintained by the Federal Government a force called the Baluchistan Constabulary for the better protection and administration of the external frontiers of Pakistan within the limits of or adjoining Baluchistan or any part thereof.

4. **Power to employ Baluchistan Constabulary in other parts of Pakistan.**—Notwithstanding anything contained in this Act, it shall be lawful, and shall be deemed always to have been lawful, for the Federal Government to employ the Baluchistan Constabulary outside the limits of or adjoining Baluchistan in other parts of Pakistan for the better protection and administration of those parts.

5. **Constitution of Constabulary.**—The Baluchistan Constabulary shall be constituted in such manner, and the members of the Constabulary shall receive such pay, pension and other remuneration and shall enjoy such leave and other privileges as may from time to time be ordered by the Federal Government.

6. **Appointment and powers of superior officers.**—(1) The Federal Government may appoint any person to be the Commandant and may appoint other persons to be the Deputy Commandant, District Constabulary Officers or Assistant Constabulary officers of the Baluchistan Constabulary, or of any unit thereof constituted in any one or more districts.

(2) The Commandant and every other officer so appointed shall possess, and may exercise, such powers and authority over the subordinate officers and members of the Constabulary for the time being under his command as is provided by or under this Act.

7. **Appointment of subordinate officers and men.**—The appointment of all officers and other members of the Constabulary, other than those mentioned in sub-section (1) of section 6, shall be made by the Commandant, Deputy Commandant or the District Constabulary Officers who shall respectively exercise such powers in such manner as may be prescribed.

8. **Superintendence, control and administration of Constabulary.**—(1) The superintendence of, and command and control over, the Baluchistan Constabulary shall vest in the Federal Government; and the Baluchistan Constabulary shall be administered, commanded and controlled by the Commandant, Deputy Commandant and District Constabulary Officers in accordance with the provisions of this Act and any rules made thereunder and such orders and instructions as may be made or issued by the Federal Government from time to time.

(2) Save in respect of administration, internal economy and training, any unit of the Baluchistan Constabulary and the officer in command of that unit employed in a district shall, in time of peace, be subject to the directions of the Deputy Commissioner of the district.

(3) In exercising authority under sub-section (2), the Deputy Commissioner shall be governed by such rules, orders and instructions as the Federal Government may make or give in this behalf.

9. **More heinous offences.**—(1) Every member of the Constabulary who—

(a) begins, excites, causes or conspires to cause, or joins in, any mutiny; or being present at any mutiny, does not use his utmost endeavours to suppress it, or knowing, or having reason to believe in, the existence of any mutiny or of any intention to mutiny or of any conspiracy against the State does not, without delay, give information thereof to his commanding or other superior officer; or

(b) uses, or attempts to use, criminal force to, or commits an assault on, his superior officer whether on or off duty, knowing or having reason to believe him to be such officer; or

(c) shamefully abandons or delivers up any garrison, fortress, post or guard which is committed to his charge or which it is his duty to defend; or

(d) directly or indirectly holds correspondence with, or assists or relieves, any person in arms against the State, or omits to disclose immediately to his commanding or other superior officer any such correspondence coming to his knowledge; or

(e) while on active service,—

(i) disobeys the lawful command of his superior officer; or

(ii) deserts the service; or

(iii) being a sentry, sleeps upon his post, or quits it without being regularly relieved or without leave; or

(iv) without authority, leaves his commanding officer, or his post or party to go in search of plunder; or

(v) quits his Company, unit, guard, picquet, party, or patrol without being regularly relieved or without leave; or

(vi) uses criminal force to, or commits an assault on, any person bringing provisions or other necessaries to camp or quarters, or forces a safeguard or, without authority, breaks into any house or any other place for plunder, or plunders, destroys, or damages any property of any kind; or

(vii) intentionally causes or spreads a false alarm in action or in camp, garrison, or quarters; or

(viii) displays cowardice in the execution of his duty;

shall be punishable with imprisonment for life, or with imprisonment for a term which may extend to fourteen years, or with fine which may extend to three months' pay in addition to such sentence of imprisonment as may be passed upon him under this section.

(2) If any member of the Constabulary, while on active service with a force beyond the limits of Pakistan, is charged with committing any offence described in clause (c), clause (d), or sub-clause (ii) of clause (f), of sub-section (1) or the offence of culpable homicide amounting to murder, he may, notwithstanding anything contained in this Act or any other law for the time being in force, be summarily tried for such offence by the Political Officer, sitting with two other officers appointed by him for the purpose.

(3) Every officer appointed under sub-section (2) shall be either—

(a) a commissioned officer, other than a junior commissioned officer, of the Pakistan Army,

(b) a civil officer of Grade 17 or above, or

(c) a Constabulary officer appointed under section 6:

Provided that, if circumstances permit, not less than one such officer shall be a Constabulary officer appointed under section 6.

(4) Notwithstanding anything contained in any other law for the time being in force, if in a trial under sub-section (2) one or both of the officers sitting with the Political Officer concur with him in finding the accused person guilty of an offence referred to in that sub-section, and the Political Officer considers the case one in which the sentence of death should be passed, he may, in passing such sentence, direct that the accused person shall be forthwith shot to death, and such sentence shall be carried out in accordance with such direction.

10. **Less heinous offences.**—Every member of the Constabulary who—

(a) is in a state of intoxication when on, or after having been warned for, any duty, or on parade or on the line of march; or

(b) strikes or attempts to strike any sentry; or

(c) being in command of a guard, picquet or patrol, refuses to receive any prisoner or person duly committed to his charge, or releases without proper authority any prisoner or person placed under his charge, or negligently suffers any such prisoner or person to escape; or

(d) being under arrest or in confinement, leaves his arrest or confinement, before he is set at liberty by proper authority; or

(e) is grossly insubordinate or insolent to his superior officer in the execution of his office; or

(f) refuses to superintendent or assist in the making of any fieldwork or other work of any description ordered to be made either in quarters or in the field; or

(g) strikes or otherwise ill-uses any member of the Constabulary subordinate to him in rank or position; or

(h) being in command at any post or on the march, and receiving a report that any one under his command has beaten or otherwise maltreated or oppressed any person or has committed any riot or trespass, fails, on proof of the truth of the report, to have reparation made, as far as possible, to the injured person or to report the case to the proper authority; or

(i) designedly or through neglect injures or loses or fraudlently disposes of, his arms, clothes, tools, equipments, ammunition, accoutrements, animals or Baluchistan Constabulary necessaries. or any such articles entrusted to him or belonging to any other person or any animals belonging to the Baluchistan Constabulary ; or

(j) maligners or feigns or produces disease or infirmity in himself or intentionally delays his cure or aggravates his disease or infirmity ; or

(k) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person ; or

(l) does not, when called upon by his superior officer so to do or, upon ceasing to be a member of the Constabulary, forthwith deliver up, or duly account for, all or any arms, ammunition, stores, accoutrements or other property issued or supplied to him, or in his custody or possession, as a member of the Constabulary ; or

(m) knowingly furnishes a false return or report of the number or state of any men under his command or charge or of any money, arms, ammunition, clothing, equipments, stores or other property in his charge, whether belonging to such men or to Government or to any member of, or any person attached to, the Baluchistan Constabulary or through design or culpable neglect omits or refuses to make or send any return or report of any of the matters aforesaid ; or

(n) absents himself without leave, or without sufficient cause overstays leave granted to him ; or

(o) is guilty of any act or omission which, though not specified in this Act, is prejudicial to good order and discipline ; or

(p) while not on active service, commits any of the offences described in clause (e) of sub-section (1) of section 9,

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to three months' pay, or with both.

11. **Minor punishments.**—(1) The Commandant, Deputy Commandant or District Constabulary Officer may, subject to any rules made under this Act, award to any member of the Constabulary whom the Commandant, Deputy Commandant or District Constabulary Officer, as the case may be, considers to be guilty of disobedience, neglect of duty or remissness in the discharge of any duty, or of rendering himself unfit to discharge his duty, or of other misconduct in his capacity as a member of the Constabulary, in lieu of, or in addition to, suspension, removal or dismissal from service, any one or more of the following punishments, that is to say,—

(a) reduction in rank and emoluments ;

(b) fine to any amount not exceeding one month's pay and allowances ;

(c) confinement to quarters for a term not exceeding one month ;

(d) confinement in the quarter guard for not more than twenty-eight days, with or without punishment-drill or extra guard, fatigue or other duty ; and

(e) removal from any office of distinction or special emolument in the Baluchistan Constabulary.

(2) The Commandant, Deputy Commandant or District Constabulary Officer or an officer not being below the rank of Subedar, commanding a separate detachment or an outpost, or in temporary command at the headquarters of a district during the absence of the Commandant, Deputy Commandant and District Constabulary Officer, may, without a formal trial, award to any member of the Constabulary who is subject to his authority, for the commission of any petty offence against discipline which is not otherwise provided for in this Act, or which is not of a sufficiently serious nature to call for a prosecution before a criminal court, any of the following punishments that is to say,—

(a) confinement for not more than seven days in the quarter guard or such other place as may be considered suitable, with forfeiture of all pay and allowances during its continuance; and

(b) punishment-drill, or extra guard, fatigue or other duty, for not more than thirty days, with or without confinement to quarters.

(3) Any one of the punishments described in sub-section (1) or sub-section (2) may be awarded separately, or in combination with any one or more of the said punishments, respectively.

12. **Place of imprisonment and liability to dismissal on imprisonment.**—(1) Every person sentenced under this Act to imprisonment may be dismissed from the Baluchistan Constabulary and shall be further liable, by special order of the Federal Government or the court, to forfeiture of pay and allowances and other public money due to him as well as of medals and decorations received by him.

(2) Every person so sentenced to imprisonment shall, if he is so dismissed, be imprisoned in the nearest prison or such other prison as the Federal Government may, by general or special order, direct; but, if he is not so dismissed, he may, if the court or the Commandant so directs, be confined in the quarter guard or such other place as the court or the Commandant may consider suitable.

13. **Deductions from pay and allowances.**—The following penal deductions may be made from the pay and allowances of a member of the Constabulary, that is to say,—

(a) all pay and allowances for every day of absence either on desertion or without leave, and for every day of imprisonment awarded by a criminal court or of confinement awarded under section 11;

(b) all pay and allowances for every day whilst he is in custody on a charge for an offence of which he is afterwards convicted;

(c) all pay and allowances for every day on which he is in hospital on account of sickness certified by the proper Medical Officer attending on him at the hospital to have been caused by an offence under this Ordinance committed by him;

(d) all pay and allowances ordered to be forfeited under section 11; and

(e) any sum required to make good such compensation for any expenses caused by him, or for any loss of, or damage or destruction done by him to, any arms, ammunition, equipment, clothing, instruments, Baluchistan Constabulary necessaries or decoration, or to any building or property, as may be awarded by the Commandant, Deputy Commandant or District Constabulary Officer.

14. **Collective fines.**—Whenever any weapon or part of a weapon or ammunition forming part of the equipment of a company or other similar unit is lost or stolen, the Commandant may, after making such enquiry as he thinks fit and subject to such rules as may be prescribed, impose a collective fine upon the subordinate officers and men of such company or unit, or upon so many of them as, in his judgement, should be held responsible for such loss or theft.

15. **Resignation and withdrawal from the Constabulary.**—No member of the Constabulary shall be at liberty to—

(a) resign his appointment during the term of his engagement, except before the expiration of the first three months of his service ; or

(b) withdraw himself from all or any of the duties of his appointment, without the sanction of the Commandant, Deputy Commandant or District Constabulary Officer under whom he is serving or some other officer authorised by the Commandant to grant such sanction.

16. **General duties of members of the Constabulary.**—(1) It shall be the duty of every member of the Constabulary promptly to obey and to execute all orders and warrants lawfully issued to him by any competent authority, to detect and bring offenders to justice, and to apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient grounds exist.

(2) Every member of the Constabulary shall be liable to serve without and beyond, as well as within, the limits of Pakistan.

17. **Power to confer Police Power on members of the Constabulary.**—The Federal Government may, by general or special order, confer or impose upon any member of the Constabulary, for the purposes of this Act, any of the powers or duties of a Police Officer of any class or grade under any law for the time being in force.

18. **Protection for acts of members of the Constabulary.**—(1) In any suit or proceeding against any person appointed under section 6 or any member of the Constabulary for any act done by him in pursuance of a warrant or order of a competent authority, it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order.

(2) Such plea may be proved by the production of the warrant or order directing the act, and if it is so proved, the defendant shall thereupon be discharged from liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued the warrant or order.

(3) Notwithstanding anything contained in any law for the time being in force, all suits and proceedings (whether civil or criminal) against any person which may lawfully be brought for anything done or intended to be done under the powers conferred by, or in pursuance of, any provision of this Act or the rules made thereunder, shall be commenced within three months after the act complained of was committed, and not otherwise ; and notice in writing of such suit or proceeding and of the cause thereof shall be given to the defendant or his superior officer one month at least before the commencement of the suit or proceeding.

19. **Apprehension for desertion.**—(1) Whenever any member of the Constabulary deserts, his District Constabulary Officer shall give written information of the desertion to such civil authorities as in his opinion may be able to afford assistance towards the capture of the deserter and such authorities shall thereupon take steps for the apprehension of the said deserter in like manner as if he were a person for whose apprehension a warrant had been issued by a magistrate, and shall deliver the deserter, when apprehended, to the custody of the Baluchistan Constabulary.

(2) A provost-marshal appointed under the Pakistan Army Act, 1952 (XXXIX of 1952), the Pakistan Air Force Act, 1953 (VI of 1953), or the Pakistan Navy Ordinance, 1961 (XXXV of 1961), or any person legally exercising authority under him or on his behalf, or any police officer may arrest without warrant any person whom he reasonably believes to be a member of the Constabulary and a deserter or absence without leave and bring him without delay before the nearest magistrate as if he were a deserter from the Pakistan Army, the Pakistan Air Force or the Pakistan Navy.

20. **Jurisdiction.**—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), the Federal Government may declare that any Court specified for the purpose and no other shall be deemed to be the Court of Session or the Court of a Magistrate for the disposal of cases or any class of cases arising under this Act and that appeals from sentences passed under this Act or from any class of such sentences shall lie to any authority specified by the Federal Government and to no other.

(2) Any person invested with any powers under the Code of Criminal Procedure, 1898 (Act V of 1898), for the disposal of any case under this Act within the limits of Pakistan shall, in relation to any case arising under this Act beyond such limits, have the same power and be subject to the same conditions as to appeal and other matters as if such case had arisen within such limits.

21. **Application of Act to other bodies enrolled for service on frontier.**—The Federal Government may, by notification in the official Gazette, apply, with such modifications, if any, as it may think fit, any of the provisions of this Act and the rules made thereunder to any persons for the time being enrolled for similar service on the external frontier of Pakistan.

22. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie for any thing which is in good faith done or intended to be done under this Act or any rules made thereunder.

23. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules—

(a) regulating the functions and powers of the Deputy Commissioner, Commandant, Deputy Commandant, District Constabulary Officer and Assistant District Constabulary Officer, respectively, under this Act ;

(b) regulating the classes and grades of, and the remuneration to be paid to, and leave and other privileges enjoyed by, the officers and members of the Constabulary, and their other conditions of service ;

(c) fixing the period of service for members of the Constabulary in any district or local area ;

(d) regulating the award of minor punishments under section 11, and providing for appeals from, or the revision of, orders under that section, and for the remission of fines imposed under that section and of deductions made under section 13;

(e) regulating the several or collective liability of members of the Constabulary in the case of the loss or theft or weapons and ammunition; and

(f) generally, for the purpose of carrying into effect the provisions of this Act.

THE SCHEDULE

[*See* section 2 (a)]

(RECRUITING ROLL)

After you have served in the Baluchistan Constabulary for such period as has been fixed under the Baluchistan Constabulary Act, 1975, you may at any time, when not on active service, apply for your discharge, through the officer to whom you may be subordinate, to the Commandant and you will be granted your discharge after three months from the date of your application, unless your discharge would cause the vacancies in the Baluchistan Constabulary to exceed one-tenth of the sanctioned strength, in which case you shall be bound to remain until this objection is waived or removed. But when on active service, you shall have no claim to a discharge, and you shall be bound to remain to do your duty until the necessity for retaining you in the Baluchistan Constabulary ceases, when you may make your application in the manner mentioned above:

Provided that, if you wish to withdraw from the Baluchistan Constabulary, you may resign at any time before the expiration of the first three months of your service:

Provided further that the Commandant may, if he thinks fit allow you to resign at any time on your giving three months' notice of your wish to do so.

Signature of the member of the Constabulary in acknowledgement of the above having been read to him.	A. B.
Signed in my presence after I had ascertained that A. B. understood the purport of what he signed.	C. D.

Commandant, Deputy Commandant or, District
Constabulary Officer.

ACT No. XLII OF 1975

An Act further to amend the Opium Act, 1878

WHEREAS it is expedient further to amend the Opium Act, 1878 (I of 1878), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Opium (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Insertion of new section 20D, Act I of 1878.**—In the Opium Act, 1878 (I of 1878), after section 20C, the following new section shall be inserted, namely:—

> "20D. *Certain powers exercisable by officers of Pakistan Narcotics Control Board.*—Any officer of the Pakistan Narcotics Control Board authorised by the Chairman of the Board may, within such area as may be specified in the order authorising him, exercise the powers of an officer of the department of Excise under sections 14, 15 and 20, in respect of opium which he has reason to believe to be liable to confiscation under this Act by virtue of its having been, or being about to be, imported or exported in contravention of this Act; and reference in this Act to an officer of the said department shall be deemed to include a reference to an officer of the Board so authorised.
>
> *Explanation.*—In this section, 'Pakistan Narcotics Control Board' means the Pakistan Narcotics Control Board reconstituted under the Government of Pakistan, Planning Division, Resolution dated the 8th March, 1973.".

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 28th April, 1975

The following Acts of Parliament received the assent of the President on the 24th April, 1975, and are hereby published for general information :—

ACT NO. XLIII OF 1975

An Act to provide for the conferment by the President of decorations in recognition of gallantry, meritorious service in the Armed Forces or academic distinction

WHEREAS it is expedient to provide for the conferment by the President of decorations in recognition of gallantry, meritorious service in the Armed Forces or academic distinction, restriction on the acceptance of foreign decorations by the citizens and persons in the service of Pakistan and matters ancillary thereto ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Decorations Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1973.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "academic distinction" includes—

(i) research, achievement or performance in medicine, science, engineering, technology, philosophy, history, literature or the arts ;

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(ii) invention of national importance ;

(b) " decorations " means any Title, Honour, Award, Order, Medal, Bar, Clasp or Commendation instituted or created under section 3, and includes the decorations enumerated in the Schedule ;

(c) " gallantry " means an act of bravery, heroism and courage ; and

(d) " meritorious service in the Armed Forces " means service rendered by the members of the Armed Forces in Peace or War or Emergency or in relation to any national historic occasion which is worthy of decoration.

3. **Institution or creation of decorations.**—(1) The President may, by Warrant, institute or create from time to time any decorations in recognition of gallantry, meritorious service in the Armed Forces or academic distinction, and prescribe the conditions under which a decoration may be awarded, conferred, withdrawn, forfeited or annulled, or may be restored after its withdrawal, forfeiture or annulment.

(2) The President may also award decoration posthumously and the monetary reward, if any, attached to the decoration shall be paid to the next of kin of the person to whom the decoration is awarded.

(3) No decoration shall be awarded, conferred, withdrawn, forfeited or annulled, and no decoration which has been withdrawn, forfeited or annulled shall be restored, except with the personal approval of the President.

(4) Every award, conferment, withdrawal, forfeiture, annulment and restoration of a decoration shall be published in the official Gazette.

4. **Continuance of existing decorations and their Warrants of Institution and statutes.**—(1) All the decorations enumerated in the Schedule and the Warrants of Institution and statutes, rules, regulations and instructions pertaining thereto, which were in force immediately before the commencement of this Act, shall continue to be in force until altered, repealed or amended by the President.

(2) The President may, by order, amend the Schedule so as to include therein or exclude therefrom any decoration.

(3) Notwithstanding anything contained in sub-section (1), the President may, at any time, withdraw, forfeit or annul any decoration awarded to, or conferred on, any person, and upon such withdrawal, forfeiture or annulment of any decoration, the person concerned shall cease to have any right or privilege appertaining thereto ; but the President may restore any such decoration after its withdrawal, forfeiture or annulment.

5. **Restriction on creation, conferment or acceptance of decorations.**—(1) Subject to the provisions of this Act, no person or authority in Pakistan shall institute or create, or confer on any person, any Title, Honour, Award, Order, Medal, Bar, Clasp or Commendation of the nature of a decoration or which is an imitation of any decoration.

(2) No citizen of Pakistan and no person in the service of Pakistan shall accept any title, honour or decoration from any foreign State or sovereign except with the approval of the Federal Government.

(3) No person to whom a decoration has not been awarded or on whom a decoration has not been conferred, and no person whose decoration has been withdrawn forfeited or annulled, shall use or cause to be used with his name any words or letters representing that the decoration has been awarded to, or conferred on, him.

6. **Penalty and procedure.**—(1) Whoever contravenes the provisions of section 5 shall be punished with fine which may extend to twenty thousand rupees.

(2) A person convicted under this section for accepting any decoration from a foreign State or sovereign shall be deemed to have been deprived of such decoration.

(3) No prosecution for an offence punishable under this Act shall be instituted except with the previous sanction of the Federal Government.

(4) No court inferior to a Court of Session shall try an offence punishable under this Act.

7. **Repeal.**—The Decorations Act, 1965 (X of 1965), is hereby repealed.

SCHEDULE

1. Nishan-i-Haider.
2. Nishan-i-Shujaat.
3. Nishan-i-Imtiaz.
4. Hilal-i-Juraat.
5. Hilal-i-Shujaat.
6. Hilal-i-Imtiaz.
7. Sitara-i-Juraat.
8. Sitara-i-Shujaat.
9. Sitara-i-Imtiaz.
10. Sitara-i-Basalat.
11. Tamgha-i-Juraat.
12. Tamgha-i-Shujaat.
13. Tamgha-i-Imtiaz.
14. Tamgha-i-Basalat.
15. Quaid-i-Azam Police Medal for Gallantry.

16. President's Police Medal for Gallantry

17. I'zaz-i-Kamal.

18. I'zaz-i-Fazeelat.

19. I'zaz-i-Sabqat.

20. President's Medal for Technology.

21. President's Award for Children.

22. Imtiazi Sanad.

23. **Campaign|War medals :—**

    (1) Tamgha-i-Difaa with Clasp Kashmir 1948.

    (2) Tamgha-i-Difaa with Clasp Dir-Bajaur 1960—62.

    (3) Tamgha-i-Difaa with Clasp Kutch 1965.

    (4) Tamgha-i-Difaa with Clasp Kashmir 1964-65.

    (5) Sitara-i-Harb 1965 War.

    (6) Tamgha-i-Jang 1965 War.

24. Tamgha-i-Khidmat (Military) Class I, II and III.

25. President's Medal for Best Shot.

26. Pakistan Medal.

27. Republic Commemoration Medal.

ACT NO. XLIV OF 1975

An Act further to amend certain laws relating to preventive detention

WHEREAS it is expedient further to amend certain laws relating to preventive detention for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Preventive Detention Laws Amendment Act, 1975.

(2) It shall come into force at once.

2. **Amendment of Act XXXV of 1952.**—In the Security of Pakistan Act, 1952 (XXXV of 1952),—

(1) for the words "Central Government" wherever occurring the words "Federal Government" shall be substituted ;

(2) in section 2, for clause (a) the following shall be substituted, namely :—

"(a) 'Board' means the Review Board referred to in clause (4) of Article 10 of the Constitution which is appointed by the

Chief Justice of Pakistan and consists of a Chairman and two other persons, each of whom is or has been a Judge of the Supreme Court or a High Court ; " ;

(3) in section 3,—

(a) in sub-section (1), in clause (b), for the proviso the following shall be substituted, namely :

" Provided that, within a period of twenty-four months commencing on the day of his first detention in pursuance of an order made under this clause, no person, other than a person who for the time being is an enemy alien or who is employed by, or works for, or acts on instructions received from, the enemy, or who is acting or attempting to act in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof or who commits or attempts to commit any act which amounts to an anti-national activity as defined in a Federal law or is a member of any association which has for its objects, or which indulges in, any such anti-national activity, shall be detained in pursuance of any such order for more than a total period of eight months in the case of a person detained for acting in a manner prejudicial to public order and twelve months in any other case. " ; and

(b) in sub-section (4),—

(i) after the word " place ", the words " as the Board may determine " shall be inserted ; and

(ii) the word and comma " maintenance, " shall be omitted ;

(4) in section 6, in sub-section (2) for the word " President " the words " Federal Government " shall be substituted ;

(5) in section 6A, for sub-section (1) the following shall be substituted, namely :—

"(1) A person shall not be detained under an order made under clause (b) of sub-section (1) of section 3 for a period exceeding three months unless the Board, to which a reference shall be made by the Federal Government, has reviewed his case and reported, before the expiration of the said period, that there is, in its opinion, sufficient cause for such detention, and, if the detention is continued after the said period of three months, unless the Board has reviewed his case and reported, before the expiration of each period of three months, that there is, in its opinion, sufficient cause for such detention. " ; and

(6) in section 19, in sub-section (1), the words, brackets, letter and figures " and such rules may provide for the maintenance of the dependants of a person detained under an order made under clause (b) of sub-section (1) of section 3 " shall be omitted.

3. **Amendment of Act XXXI of 1946.**—In the Foreigners Act, 1946 (XXXI of 1964),—

(1) for the words " Central Government " wherever occurring the words " Federal Government " shall be substituted ; and

(2) in section 3,—

(a) in sub-section (2), for clause (g) the following shall be substituted, namely :—

"(g) shall be arrested and, in the interest of the defence or the external affairs or the security of Pakistan, or any part thereof, detained or confined." ; and

(b) in sub-section (4),—

(i) for the words, brackets and figures "sub-section (2) of section 6" the words, brackets, letter and figures "clause (b) of sub-section (1) of section 3" shall be substituted ; and

(ii) after the words "those of", the words, brackets and figures "sub-section (2) of section 6 and" shall be inserted.

ACT NO. XLV OF 1975

An Act to provide for the establishment of Area Study Centres in the Universities for the study of contemporary societies particularly those which affect the national interest of Pakistan

WHEREAS it is expedient to provide for the establishment of Area Study Centres in the Universities for the study of contemporary societies particularly those which affect the national interest of Pakistan ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Area Study Centres Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Board" means a Board of Governors referred to in sub-section (1) of section 5 ;

(b) "Centre" means an Area Study Centre established under section 3 ;

(c) "Commission" means the University Grants Commission ;

(d) "Director" means the Director of a Centre ;

(e) "regulations" means regulations made under section 11 ; and

(f) "rules" means rules made under section 10.

3. **Establishment of Centre.**—As soon as may be after the commencement of this Act, the Federal Government may, by notification in the official Gazette, establish an Area Study Centre in a University specified in the notification.

4. **Functions of Centre.**—A Centre shall—

(a) engage in high level teaching and research ;

(b) train research workers;

(c) establish M. Phil., Ph. D. and other programmes in the relevant disciplines in accordance with the standard and requirements of the University;

(d) promote cooperation in inter-disciplinary relationship with other teaching and research establishments;

(e) arrange conferences, seminars and refresher courses for the development of teaching and research; and

(f) conduct teaching and research in such particular field as is assigned to it by the Federal Government after consultation with the University.

5. **Board of Governors.**—(1) The management, overall control and supervision of the affairs of a Centre established in a University shall vest in a Board of Governors consisting of the following members, namely:—

(a) *Vice*-Chancellor of the University, who shall also be its Chairman;

(b) a representative of the Commission;

(c) a representative of the Pakistan History Commission;

(d) a representative of the Ministry of Foreign Affairs;

(e) a representative of the Ministry of Education;

(f) Dean of the Faculty of the University;

(g) two experts in the relevant discipline to be nominated by the Federal Government on the recommendation of the Commission;

(h) one nominee of the Syndicate of the University;

(i) one nominee of the Academic Council of the University; and

(j) Director of the Centre.

(2) In particular and without prejudice to the generality of the foregoing provision, a Board shall have the power to—

(a) approve the academic and research programmes of the Centre, with the concurrence of the Academic Council of the University;

(b) lay down rules of admission to the Centre;

(c) institute fellowships for promotion of research in the discipline concerned;

(d) create, suspend or abolish such posts as may be necessary;

(e) appoint teachers and other officers; and

(f) hold, control and administer the funds of the Centre.

(3) A member of a Board referred to in clause (g) of sub-section (1) shall hold office for such term as may be determined by the Federal Government.

(4) The meetings of a Board shall be held as and when called by the Chairman:

Provided that not less than two meetings shall be held in each year.

(5) In the exercise of its powers and performance of its functions, a Board shall be subject to such special or general instructions as may be issued by the Commission from time to time.

(6) A Board may, for the speedy and efficient working of the Centre, delegate to the Director such of its powers as it may deem necessary.

6. **Director.**—(1) The Director shall be appointed by the Federal Government on the recommendation of the Commission on such remuneration and other terms and conditions of service as may be determined by the Federal Government in consultation with the University.

(2) The Director shall be the academic and executive head of the Centre and Secretary of the Board, and shall be responsible to the Board for carrying out the objectives of the Centre.

(3) The Director shall perform such other functions and exercise such powers as may be assigned or delegated to him by the Board.

(4) The Director may, by writing under his hand addressed to the Chairman, resign his office.

7. **Academic Committee.**—(1) At each Centre there shall be an Academic Committee consisting of the following members, namely :—

(a) the Director, who shall also be its convener ;

(b) all Professors and Associate Professors of the Centre ; and

(c) two experts to be nominated by the Commission.

(2) The Committee may associate such other experts as it may consider necessary.

(3) The Committee shall prepare and submit to the Board the academic and research programmes of the Centre.

8. **Fund.**—Each Centre shall have a fund to which shall be credited—

(a) grants made by the Federal Government, the Provincial Governments and the Commission ;

(b) contributions and donations from individuals, local bodies, corporations, institutions, organizations and agencies ; and

(c) income from fees.

9 **Audit and accounts, etc.**—(1) The accounts of a Centre shall be maintained in such form and manner as may be prescribed by rules.

(2) The accounts of a Centre shall be audited once every year by an auditor appointed by the Commission on such remuneration, if any, to be paid by the Centre, as the Commission may fix.

(3) A Centre shall submit, through the Commission, to the Federal Government a copy of its audited annual accounts, together with the observations of the Director, if any, thereon, and a report on the activities of the Centre during the preceding year.

(4) A Centre shall furnish to the Federal Government such information relating to its activities as may be asked for by the Federal Government from time to time.

10. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

11. **Power to make regulations.**—A Centre may, with the approval of the Commission, make such regulations, not inconsistent with the rules, as it may consider necessary for carrying out the purposes of this Act.

ACT NO. XLVI OF 1975

An Act to provide for the preservation, and control of the export, of archival material

WHEREAS it is expedient to provide for the preservation, and control of the export, of archival material of national significance;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Archival Material (Preservation and Export Control) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.—In** this Act, unless there is anything repugnant in the subject or context,—

(a) "Advisory Committee" means the Advisory Committee constituted under the Government of Pakistan, Education Division, Notification No. F. 8-5|74-AD (Arch), dated the 10th June, 1974, or any other committee that may be set up by the Federal Government for the purpose;

(b) "archival material" means any book, pamphlet, brochure, letter, hand-out, gazette, newspaper, journal, file, manuscript, whether written, printed or typed, which is not less than twenty-five years old and is of, historical significance to Pakistan;

Explanation.—For the purpose of this clause, a book, pamphlet, brochure, letter, hand-out, gazette, newspaper, journal, file or manuscript shall be deemed to be of historical significance to Pakistan if—

(i) its subject matter is the political situation in or religious or communal matters relating to South Asia, or

(ii) it is, or contains, the original of a letter written by or to the Quaid-e-Azam or the All-India Muslim League, or

(iii) it is, or contains, the original of a letter written to the President or other office-bearer of the All-India Muslim League or any other political, social or cultural organisation concerning itself with the Muslims of South Asia, and includes an enclosure or appendix to any such book, pamphlet, brochure, letter, hand-out, gazette, newspaper, journal, file or manuscript;

(c) "Director" means the Director of Archives, Government of Pakistan, and includes an officer authorised by him to exercise or perform all or any of the powers or functions of the Director under this Act; and

(d) "export" means export from Pakistan by sea, land or air.

3. **Dispute as to whether any document is archival material.**—If any question arises whether any document is or is not an archival material within the meaning of this Act, it shall be referred to the Federal Government which shall, after consultation with the Advisory Committee, decide the same, and the decision of the Federal Government shall be final.

4. **Purchase, gifts, etc., of archival material.**—The Director may, with the approval of the Advisory Committee, purchase such archival material as is offered for sale and may accept donations and gifts of archival material from individuals or organizations for preservation in the National Archives of Pakistan.

5. **Export of archival material.**—No person shall export any archival material except under the authority of a licence granted by the Director for its temporary export for the purpose of exhibition, examination or treatment for preservation.

6. **Penalty.**—(1) All archival material the export of which is prohibited under section 5 shall be deemed to be goods the export of which has been prohibited under section 16 of the Customs Act, 1969 (IV of 1969), and all the provisions of that Act shall have effect accordingly, except that the archival material in respect of which the provisions of that Act have been contravened shall be confiscated where confiscation is authorised under that Act.

(2) Without prejudice to any action that may be taken under sub-section (1), any person who exports or attempts to export any archival material in contravention of section 5 shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

7. **Jurisdiction to try offences.**—No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made by an officer authorised in this behalf by the Federal Government and no court inferior to that of a Magistrate of the first class shall try any such offence.

8. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

9. **Confiscated archival material to be made over to Director.**—Any archival material which is confiscated under this Act shall be made over to the Director for safe custody, preservation and protection.

10. **Power to make rules.**—(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for the procedure for the grant of a licence for the export of archival material.

M. A. HAQ,
Secretary.

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ISLAMABAD, TUESDAY, APRIL 29, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 29th April, 1975

The following Acts of Parliament received the assent of the President on the 25th April, 1975, and are hereby published for general information:—

ACT No. XLVII OF 1975

An Act further to amend the Pakistan Insurance Corporation Act, 1952

WHEREAS it is expedient further to amend the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Insurance Corporation (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General Amendment, Act XXXVIII of 1952.**—In the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 2, Act XXXVIII of 1952.**—In the said Act, in section 2, in clause (a), for the words "Comptroller and Auditor-General of Pakistan" the words "Auditor-General of Pakistan" shall be substituted.

4. **Amendment of section 4A, Act XXXVIII of 1952.**—In the said Act, in section 4A, for sub-section (1) the following shall be substituted, namely:—

"(1) The Corporation shall maintain two separate registers of shareholders as follows:—

(a) one at Lahore to be called the Lahore Register for the area comprising the Punjab, the North-West Frontier Province and the Federal Capital; and

Price : Ps. 13

[2204 Ex. Gaz.]

(b) the other at Karachi to be called the Karachi Register for the area comprising Baluchistan and Sind and places not falling within the area referred to in clause (a). ".

5. **Amendment of section 10, Act XXXVIII of 1952.**—In the said Act, in section 10, in sub-section (1), in clause (b), for the word " three ", twice occurring, the word " two " shall be substituted.

6. **Amendment of section 16, Act XXXVIII of 1952.**—In the said Act, in section 16, in sub-section (1), in clause (c),—

(i) for the word " two " the word " one " shall be substituted ; and

(ii) for the word " are " the word " is " shall be substituted.

7. **Amendment of section 18, Act XXXVIII of 1952.**—In the said Act, in section 18, for the words " as soon as may be offices at Dacca and Lahore " the words " an office at Lahore " shall be substituted.

8. **Insertion of new section 29B, Act XXXVIII of 1952.**—In the said Act, after section 29A, the following new section shall be inserted, namely :—

" 29B. *Power to call for and examine accounts, etc.*—(1) For the purpose of satisfying itself that the provisions of this Act have been or are being duly complied with, or for verifying the correctness of the claims, declarations, returns, statements, or other information submitted to it, the Corporation may, whenever it may consider necessary, call for or examine or cause to be examined any accounts, books, documents, memoranda or other records of any insurer or his agent.

(2) Every insurer or his agent shall, when called upon to do so under sub-section (1), produce and make freely accessible to the Corporation or to its representative duly appointed in this behalf such accounts, books, documents, memoranda or other records as are or should normally be in his prossession or control, and shall otherwise facilitate the examination thereof.

(3) Whoever wilfully obstructs the Corporation or any person authorised by it in the exercise of its or his powers or performance of functions under sub-section (1) or sub-section (2), or fails without reasonable cause to comply with a request made thereunder, shall, in respect of each occasion on which any such obstruction or failure takes place, be punishable with fine which may extend to fifty thousand rupees. ".

9. **Amendment of section 30, Act XXXVIII of 1952.**—In the said Act, in section 30, for the words " the Act " the words " this Act " shall be substituted

10. **Amendment of section 37, Act XXXVIII of 1952.**—In the said Act, in section 37, in sub-section (2), for the words " the Central Legislature " the words " each House of Parliament " shall be substituted.

11. **Amendment of section 46, Act XXXVIII of 1952.**—In the said Act, in section 46, in sub-section (3), for the words " the Central Legislature " the words " each House of Parliament " shall be substituted.

ACT No. XLVIII OF 1975

An Act further to amend the Dangerous Drugs Act, 1930

WHEREAS it is expedient further to amend the Dangerous Drugs Act, 1930 (II of 1930), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Dangerous Drugs (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act II of 1930.**—In the Dangerous Drugs Act, 1930 (II of 1930), hereinafter referred to as the said Act, in section 2, in clause (g), for sub-clause (i) the following shall be substituted, namely:—

> "(i) all coca derivatives, medicinal hemp, opium derivatives, ***charas*** in any form and any mixture of stalks and flowering or fruiting tops of the Indian hemp plant (*cannabis sativa L.*); and".

3. **Amendment of section 23, Act II of 1930.**—In the said Act, in section 23, in sub-section (1),—

(a) after the words and comma "Provincial Government,", the words and comma "or an officer of the Pakistan Narcotics Control Board authorised by the Chairman of the Board in this behalf," shall be inserted; and

(b) the following Explanation shall be added at the end, namely:—

> "*Explanation.*—In this section and sections 29 and 30, 'Pakistan Narcotics Control Boards' means the Pakistan Narcotics Control Board re-constituted under the Government of Pakistan, Planning Division, Resolution dated the 8th March, 1973.".

4. **Amendment of section 29, Act II of 1930.**—In the said Act, in section 29, in sub-section (1), after the figure "30" at the end, the words and commas "or, in the case of a person arrested or article seized by an officer of the Pakistan Narcotics Control Board, to an officer of the Board authorised by the Chairman thereof" shall be added.

5. **Amendment of section 30, Act II of 1930.**—In the said Act, in section 30, after the word and comma "officers,", the words and comma "and the Federal Government may invest any officer of the Pakistan Narcotics Control Board or any class of such officers," shall be inserted.

ACT No. XLIX OF 1975

An Act further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (Act V of 1898), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of section 129, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (Act V of 1898), hereinafter referred to as the said Code, in section 129, for the words "military force" the words "the armed forces" shall be substituted.

3. **Amendment of section 130, Act V of 1898.**—In the said Code, in section 130, for sub-section (1) the following shall be substituted, namely :—

> "(1) When a Magistrate determines to disperse any such assembly by the armed forces, he may require any officer thereof in command of any group of persons belonging to the armed forces to disperse such assembly with the help of the armed forces under his command and to arrest and confine such persons forming part of it as the Magistrate may direct, or as it may be necessary to arrest and confine in order to disperse the assembly or to have them punished according to law."

4. **Amendment of section 132, Act V of 1898.**—In the said Code, in section 132,—

(i) in clause (d), for the words "or volunteer" the words "sailor or airman in the armed forces" shall be substituted ; and

(ii) in the proviso, for the words "soldier in the Pakistan Army" the words "soldier, sailor or airman in the armed forces" shall be substituted.

5. **Insertion of new section 132A, Act V of 1898.**—In the said Code, after section 132, the following new section 132A shall be inserted, namely :—

"132A. *Definitions.*—In this Chapter,—

(a) the expression "armed forces" means the military, naval and air forces, operating as land forces and includes the force constituted under the Federal Security Force Act, 1973 (XL of 1973), and any other armed forces of Pakistan so operating ;

(b) "officer", in relation to the armed forces, means a person commissioned, gazetted or in pay as an officer of the armed forces and includes a junior commissioned officer, a warrant officer, a petty officer and a non-commissioned officer ; and

(c) "soldier" includes a member of the force constituted under the Act referred to in clause (a).".

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 30th June, 1975

The following Act of Parliament received the assent of the President on the 28th June, 1975, and is hereby published for general information:—

ACT NO. L OF 1975

An Act to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 1975, and to amend certain laws

WHEREAS it is expedient to make provisions to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 1975, and to amend certain laws for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and extent.**—(1) This Act may be called the **Finance Act, 1975.**

(2) It extends to the whole of Pakistan.

2. **Amendment of Act XI of 1922.**—The following amendments shall be made in the Income-tax Act, 1922 (XI of 1922), namely:—

(1) In section 4,—

(a) in sub-section (1), after *Explanation* 6, the following further *Explanation* shall be added, namely:—

"*Explanation* 7.—Any income derived by an assessee in any previous year from business, profession or vocation which has been or was discontinued at any time during or before the commencement of the said previous year shall be deemed to be income

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[2791 Ex. Gaz.]

so chargeable as if the business, profession or vocation had been carried on by him in the said previous year. ";

(b) in sub section (3),—

(i) in clause (xiii),—

(a) after the words "under a contract of service approved", the commas and the words ", on an application made," shall be inserted ;

(b) for the words "by an undertaking" the words and commas "in an approved undertaking or by any other undertaking and, in either case, such undertaking" shall be substituted ;

(c) in the proviso, in clause (ii), for the words "setting up or commencement of the undertaking" the words "commencement of commercial production" shall be substituted ; and

(d) the existing "*Explanation*" shall be numbered as "*Explanation* 1" and, after "*Explanation* 1" as so numbered, the following further *Explanation* shall be added, namely :—

"*Explanation* 2.—As used in this clause, the expression "approved undertaking" means an undertaking approved by the Central Board of Revenue for the purposes of this clause and set up by a company formed and registered under the Companies Act, 1913 (VII of 1913), or a body corporate formed in pursuance of a law within the legislative competence of Parliament, provided the share-capital of such company or body corporate, as the case may be, is owned (wholly or in part) by the Federal Government and the management of its affairs is controlled, directly or indirectly, by the Federal Government and it is approved by the Central Board of Revenue for the purposes of this clause." ;

(ii) in clause (xvii),—

(a) for the word, brackets and figure "clause (xv)" the word, brackets and figure "clause (xviii)" shall be substituted ;

(b) after the words "any income", the words and commas ", not exceeding five thousand rupees," shall be omitted ; and

(c) the proviso shall be omitted ;

(iii) in clause (xviii),—

(a) the words and commas ", not exceeding five thousand rupees," shall be omitted ; and

(b) in the proviso, the words, brackets and figure "clause (xv) and" shall be omitted ;

(iv) after clause (xix), the following new clause shall be added, namely :—

"(xx) any income derived by an assessee after the thirtieth day of June, 1975, and before the first day of July, 1980, from poultry farming, dairy farming, fish catching and cattle or sheep breeding." ;

(2) in section 10,—

(a) in sub-section (2), in clause (va), in the *Explanation*, in paragraph (2), for the figure "1975" the figure "1980" shall be substituted;

(b) sub-section (3BB) shall be omitted;

(c) in sub-section (4), in clause (d), after "*Explanation* 2", the following further *Explanation* shall be added, namely :—

"*Explanation* 3.—The expression "perquisites or other benefits", as used in this clause, does not include employer's contribution to a recognised provident fund.";

(3) in section 15, in sub-section (3),—

(a) after the word, figure and letters "section 15CC", the comma, word, figure and letters ", section 15CCC" shall be inserted; and

(b) after the proviso, the following further proviso shall be added, namely :—

"Provided further that, where an assessee has made any investment which is exempt under this section or section 15CCC, this sub-section shall have effect as if for the words "twenty thousand" the words "thirty thousand" were substituted so, however, that the aggregate of the sums exempted under the provisions specified in this sub-section (other than this section and section 15CCC) shall not exceed twenty thousand rupees.";

(4) in section 15B,—

(a) in sub-section (2), for the words, figures, brackets and commas "between the 15th day of August, 1947 and the 31st day of March, 1948 (both dates inclusive), and which employs more than fifty persons in Pakistan and involves the use of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency" the words, figures, brackets and commas "(excluding Talukas of Karachi and Hyderabad and the Tehsils of Lyallpur and Lahore and such adjoining areas of Lahore Tehsil as may be notified in this behalf by the Federal Government) or of Azad Kashmir (hereinafter referred to as "the said territories") by a company formed and registered under the Companies Act, 1913 (VII of 1913), or a body corporate formed in pursuance of a law within the legislative competence of Parliament and which has commenced commercial production at any time between the first day of July, 1975, and the thirtieth day of June, 1981 (both dates inclusive) and which employs in the said territories (a) ten or more persons and involves the use of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency, or (b) twenty or more persons and does not involve the use of electrical energy or any other form of energy which is mechanically transmitted" shall be substituted and the proviso shall be omitted;

(b) in sub-section (3), for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :—

"Provided that if the said industrial undertaking has been set up in the Province of Baluchistan, the Tribal Areas, the Northern

Areas or Azad Kashmir, this sub-section shall have effect as if for the words "five *per cent*" the words "ten *per cent*" were substituted;

(c) for sub-section (5) the following shall be substituted, namely:—

"(5) Nothing contained in this section shall be deemed to exempt from tax any dividend paid, credited or distributed or deemed to have been paid, credited or distributed by a company to its shareholders out of profits or gains exempt from tax under this section.";

(d) sub-section (6) shall be omitted; and

(e) in sub-section (7), for the words "is set up or commenced and for four assessments immediately succeeding" the words, commas and figures "has commenced commercial production and for the assessment year or years immediately succeeding so, however, that no exemption under this section shall be allowed in respect of any income accruing or arising after the thirtieth day of June, 1981" shall be substituted;

(5) after section 15CC, the following new section shall be inserted, namely:—

"15CCC. *Exemption of investments in shares of approved industrial companies.*—Subject to the provisions of sub-section (3) of section 15, the tax shall not be payable by an assessee on such portion of his total income as does not exceed ten thousand rupees and is invested by him on or after the first day of July, 1975, in the acquisition of any shares of an approved company.

Explanation.—As used in this section, "approved company" means—

(a) any investment company;

(b) any holding company; or

(c) any company engaged in an industrial undertaking,

which is formed and registered under the Companies Act, 1913 (VII of 1913), or a body corporate formed in pursuance of a law within the legislative competence of Parliament, provided the share-capital of such company or body corporate, as the case may be, is owned (wholly or in part) by the Federal Government and the management of its affairs is controlled, directly or indirectly, by the Federal Government and it is approved by the Central Board of Revenue for the purposes of this clause.";

(6) in section 15FF, in sub-section (6), after clause (c), the following *Explanation* shall be added, namely:—

"*Explanation.*—As used in this clause, the expression "industrial undertaking" includes an expansion of an industrial undertaking if such expansion constitutes (i) an identifiable industrial unit for production of any goods or class of goods or (ii) a similar unit for the carrying on of an identifiable industrial process.";

(7) after section 15H, the following new section shall be added, namely:—

"15HH. *Family allowance.*—The tax shall not be payable on so much of the total income of an assessee being a married person having one or more than one child wholly dependent on him as does not exceed the following limits, namely :—

(a) where the total income of the assessee does not exceed Rs. 50,000.	Rs. 750 per child or Rs. 1,500, whichever is the less ; and
(b) in other cases.	*Nil.*

(8) in section 18, for sub-section (3BB) the following shall be substituted, namely :—

"(3BB) Any person responsible for making any payment in full or in part (including a payment by way of an advance) to any person (hereinafter referred to as "the recipient"), on account of the supply of goods or execution of a contract or for services rendered to, or with, the Federal Government, a Provincial Government, or a local authority or a statutory body or corporation or a foreign contractor or consultant or consortium shall deduct on account of the tax payable by him, where the total value of such goods supplied, contract executed or service rendered exceeds fifty thousand rupees, an amount equal to three per cent of the said payment ; and all such deductions or collections shall be deemed to be payments of tax made by the assessee and shall be given credit for in his assessments :

Provided that the Commissioner may, on an application made by any recipient and after making such enquiry as he considers necessary, allow by an order in writing, any person responsible for making such payment not to deduct any tax from any payment or payments made to such recipient ; and where such order is made, the person responsible for making any payment until such order is cancelled, shall make such payment without deduction of tax under this section :

Provided further that nothing in this sub-section shall apply to any class of persons receiving such payments specified in this behalf by the Central Board of Revenue by notification in the official Gazette.

Explanation.—The expression "payment", as used in this sub-section, does not include payment made on account of the refund of any security deposit." ;

(9) in section 28, in sub-section (1A), in the *Explanation*, the words, brackets, figures, letters and commas "any act of omission or commission necessitating the application of the provisions of sub-sections (2A), (2B), (2C), (2D), (2E) and (2F) of section 4" shall be omitted ;

(10) in section 33, in sub-section (1), the proviso shall be omitted ; and

(11) in section 53, in sub-section (2), the comma and the words, brackets, figures and letter ", except in a case where a penalty has been imposed under sub-section (1A) of section 28" shall be omitted.

3. **Income-tax and Super-tax.**—(1) Subject to the provisions of sub-sections (2), (3), (4) and (5), in making any assessment for the year beginning on the first day of July, 1975,—

(a) income-tax shall be charged at the rates specified in Part I of the First Schedule ; and

(b) the rates of super-tax shall, for the purposes of section 55 of the Income-tax Act, 1922 (XI of 1922), be those specified in Part II of the First Schedule.

(2) In making any assessment for the year beginning on the first day of July, 1975, where the total income of a company includes any profits and gains from life insurance business, super-tax payable by the company shall be reduced by an amount equal to 12.5 per cent of that part of its total income which consists of such inclusion.

(3) In making any assessment for the year beginning on the first day of July, 1975, where the assessee is a cooperative society, the tax shall be payable at the rates specified in paragraph A of Part I, or paragraph D of Part I and paragraph A of Part II of the First Schedule as if the assessee were a company to which the proviso to paragraph A of said Part II applied, whichever treatment is more beneficial to the assessee.

(4) (a) In making any assessment for the year beginning on the first day of July, 1975, where the total income of an assessee, not being a company to which the proviso to paragraph A of Part II of the First Schedule does not apply, includes any profits and gains derived from the export of goods out of Pakistan, income-tax and super-tax, if any payable by him in respect of such profits and gains shall, subject to the provisions of clauses (c) and (d), be reduced by an amount computed in the manner specified hereunder :—

(*i*) Where the goods exported abroad had not been manufactured by the assessee who exported them :	15 per cent of the income-tax and super-tax, if any, attributable to export sales.
(a) and where the export sales during the relevant year exceed the export sales of the preceding year.	*plus* an additional 1 per cent for every increase of 10 per cent in export sales over those of the preceding year, subject to an overall maximum of 25 per cent.
(b) and where the export sales during the relevant year do not exceed the export sales of the preceding year.	*minus* 1 per cent for every decrease of 10 per cent in export sales over those of the preceding year, subject to an overall minimum of 10 per cent.
(*ii*) Where the goods exported had been manufactured by the assessee who had exported them :—	
(a) Where the export sales do not exceed 10 per cent of the total sales.	*Nil.*
(b) Where the export sales exceed 10 per cent but do not exceed 20 per cent of the total sales.	15 per cent of the income-tax and super-tax, if any, attributable to export sales.
(c) Where the export sales exceed 20 per cent but do not exceed 30 per cent of the total sales.	20 per cent of the income-tax and super-tax, if any, attributable to export sales.
(d) Where the export sales exceed 30 per cent of the total sales.	25 per cent of the income-tax and super-tax, if any, attributable to export sales.

Provided that in the case of a registered firm super-tax payable by it under paragraph C of Part II of the First Schedule shall be reduced under this clause by an amount calculated on the basis of the income-tax payable on its total income under paragraph A of Part I had it been the total income of an unregistered firm.

(b) In making any assessment for the year beginning on or after the first day of July, 1976, where the total income of an assessee includes any profits or gains derived from the export out of Pakistan of goods manufactured by him, income-tax and super-tax, if any, payable by him in respect of such profits and gains shall, subject to the provisions of clauses (c) and (d) be reduced by an amount equal to 25 per cent of tax attributable to income from the export of such goods made on or after the first day of July, 1975.

(c) Nothing contained in clauses (a) and (b) shall apply in respect of the following goods or class of goods, namely:—

(i) raw cotton;

(ii) such other goods as may be notified by the Central Board of Revenue from time to time.

(d) The Central Board of Revenue may make rules providing for the computation of profits and the tax attributable to export sales and for such other matters as may be necessary to give effect to the provisions of this sub-section.

(5) In cases to which section 17 of the said Act applies, the tax chargeable shall be determined as provided in that section, but with reference to the rates referred to in sub-section (1).

(6) For the purposes of making deduction of tax under section 18, of the said Act, the rates specified in Part I and Part II of the First Schedule shall apply as respects the year beginning on the first day of July, 1975, and ending on the thirtieth day of June, 1976.

(7) For the purposes of this section and of the rates of tax imposed thereby, the expression "total income" means total income as determined for the purposes of income tax or super-tax, as the case may be, in accordance with the provisions of the said Act; and the expression "public company" means a company—

(i) in which not less than fifty per cent of the shares are held by the Government; or

(ii) whose shares were the subject of dealings in a registered stock exchange in Pakistan at any time during the previous year and remained listed on the stock exchange till the close of that year.

4. **Surcharge under Act XI of 1922.**—Surcharge under the Income-tax Act, 1922 (XI of 1922), shall be charged in respect of any assessment for the year beginning on the first day of July, 1975 at the rates specified in Part III of the First Schedule.

5. **Amendment of Act XV of 1963.**—The following amendments shall be made in the Wealth Tax Act, 1963 (XV of 1963), namely :—

(1) in section 2, in clause (e), in sub-clause (iii), for the word "where" the words, brackets and commas " or one such house owned but not occupied by the assessee (if he does not own any other house) and, in either case, " shall be substituted ; and

(2) in the Schedule, in paragraph (1), in sub-paragraph (i), after the word "residence", the words and brackets " or a person owning (but not occupying) not more than one house " shall be inserted.

6. **Amendment of Act III of 1951.**—The following amendments shall be made in the Sales Tax Act, 1951 (III of 1951), namely :—

(1) in section 10, after sub-section (6), the following sub-section shall be added, namely :—

"(7) No assessment under this section shall be made after the expiration of three years from the end of the year in which the sales were made.

Explanation.—This sub-section shall have effect in respect of assessments made on or after the first day of July, 1976. " ; and

(2) in section 28, for sub-section (1) the following sub-section shall be substituted on and from the first day of July, 1976, namely :—

"(1) If for any reason in any year tax has escaped assessment or has been underassessed or assessed at a rate lower than that provided under this Act, or excessive relief or refund has been allowed, the Sales Tax Officer may,—

(a) where a return for the relevant quarter, quarters or year has not been filed, serve a notice at any time on the assessee and after making such enquiry as he considers necessary make the assessment at any time within two years from the end of the year in which such notice was served ; and

(b) in other cases, serve a notice at any time within three years from the end of the year in which the assessment was first made or excessive relief was allowed or the order for refund was first passed, and after making such enquiry as he considers necessary re-assess, at any time within two years from the end of the year in which such notice is served, the tax payable, or relief or refund allowed,

and the provisions of sub-sections (2), (3), (4), (5) and (6) of section 10 shall, so far as may be, apply accordingly. ".

7. **Amendment of Act IV of 1969.**—The following amendments shall be made in the Customs Act, 1969 (IV of 1969), hereinafter referred to as the said Act, namely :—

In the said Act—

(1) for section 18, the following shall be substituted, namely :—

"18. (1) Except as hereinafter provided, customs-duties shall be levied at such rates as are prescribed in the First Schedule and the Second Schedule or under any other law for the time being in force on—

(a) goods imported into or exported from Pakistan ;

(b) goods brought from any foreign country to any customs-station, and without payment of duty, there transhipped or transported for, or thence carried to, and imported at any other customs-station; and

(c) goods brought in bond from one customs-station to another.

(2) The Federal Government may, by notification in the Official Gazette, levy, subject to such conditions, limitations or restrictions as it may deem fit to impose, a regulatory duty on all or any of the articles specified in the First Schedule at a rate not exceeding fifty per cent of the rate, if any, specified therein read with any notification issued under sub-section (1) of section 2 or sub-section (1) of section 3 of the Protective Duties Act, 1950 (LXI of 1950), or at a rate not exceeding hundred per cent of the value of such articles, as determined under section 25 and may, by a like notification, levy a regulatory duty on all or any of the articles exported from Pakistan,—

(i) in the case of articles enumerated in the Second Schedule at a rate not exceeding thirty per cent of the rate specified in the Second Schedule or of the amount which would represent the value of such articles as determined under section 25; and

(ii) in the case of articles not enumerated in the Second Schedule, at a rate not exceeding thirty per cent of the amount which represents the value of such articles as determined under section 25.

(3) The regulatory duty levied under sub-section (2) shall be in addition to any duty imposed under sub-section (1) or under any other law for the time being in force.

(4) Any notification issued under sub-section (2) shall, if not earlier rescinded, stand rescinded on the expiry of the financial year in which it was issued";

(2) in section 22, for the words and commas "provided if such goods have been imported within two years of their exportation (or within such further period, not exceeding three years as the Collector may allow in any case) and have continued to be the property of the persons by whom or on whose account they were exported and have not undergone any processing since their exportation" the following shall be substituted, namely:—

"provided if such goods have been imported within one year of their exportation and have been consigned to the person in whose account they were exported and have not undergone any processing since their exportation";

(3) in section 195, for sub-section (1) the following shall be substituted, namely :—

"(1) The Board or the Collector of Customs, within his jurisdiction, may call for and examine the records of any proceedings under this Act for the purpose of satisfying itself or, as the case may be, himself as to the legality or propriety of any decision or order passed therein by a subordinate officer and may pass such order as it or he may think fit :

Provided that no order confiscating goods of greater value, or enhancing any fine in lieu of confiscation, or imposing or enhancing any penalty, or requiring payment of any duty not levied or short-levied shall be passed unless the person affected thereby has been given an opportunity of showing cause against it and of being heard in person or through a counsel or other person duly authorised by him." ;

(4) in section 196, for the words and figures " by an officer of customs or the Board, or an order passed under section 195 by the Board confiscating goods of greater value or enhancing any fine in lieu of confiscation or imposing or enhancing any penalty or requiring payment of any duty not levied or short-levied " the commas and figures ", 194 or 195 " shall be substituted ;

(5) in section 219, for the words " First Schedule " the words " Third Schedule " shall be substituted ;

(6) in section 220, for the words " Second Schedule " the words " Fourth Schedule " shall be substituted ;

(7) after section 222, the following new sections shall be added, namely :—

" 223. *Officers of Customs to follow Board's Orders, etc.*—All officers of customs and other persons employed in the execution of this Act shall observe and follow the orders, instructions and directions of the Board :

Provided that no such orders, instructions or directions shall be given so as to interfere with the discretion of the appropriate officers of customs in the exercise of their quasi-judicial functions.

224. *Extension of time limit.*—The Federal Government, the Board or the appropriate officer of customs, may, upon being approached by an aggrieved party if satisfied that the delay was beyond the control of the applicant and that by granting such extension, there is a possibility of some loss or hardship to the applicant being mitigated or prevented, extend the time limit laid down in any section." ;

(8) before Third Schedule, renumbered as aforesaid, the following new Schedules shall be inserted, namely :—

THE FIRST SCHEDULE

(*See* Section 18)

IMPORT TARIFF

RULES FOR THE INTERPRETATION OF THE FIRST SCHEDULE OF IMPORT CUSTOMS DUTIES.

Interpretation of the Schedule shall be governed by the following principles :

1. The titles of Sections, Chapters and sub-Chapters are provided for ease of reference only ; for legal purposes, classification shall be determined according to the terms of the headings and any relative Section or Chapter Notes and, provided such headings or Notes do not otherwise require, according to the following provisions.

2. (a) Any reference in a heading to an article shall be taken to include a reference to that article incomplete or unfinished, provided that, as imported, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this rule), imported unassembled or disassembled.

(b) Any reference in a heading to a material or substance shall be taken to include a reference to mixtures or combinations of that material or substance with other materials or substances shall be taken to include a reference to goods consisting wholly or partly of such material or substance. The classification of goods consisting of more than one material or substance shall be according to the principles of rule 3.

3. When for any reason, goods are, *prima facie*, classifiable under two or more headings, classification shall be effected as follows :

(a) The heading which provides the most specific description shall be preferred to headings providing a more general description.

(b) Mixtures and composite goods which consist of different materials or are made up of different components and which cannot be classified by reference to 3(a) shall be classified as if they consisted of the material or component which gives the goods their essential character, insofar as this criterion is applicable.

(c) When goods cannot be classified by reference to 3 (a) or 3 (b), they shall be classified under the heading which involves the highest rate of duty.

4. Goods not falling within any heading of the Nomenclature shall be classified under the heading appropriate to the goods to which they are most akin.

SECTION I

LIVE ANIMALS; ANIMAL PRODUCTS

CHAPTER 1

LIVE ANIMALS

NOTES

1. This Chapter covers all live animals except:

(a) Fish, crustaceans and molluscs, of headings Nos. 03.01 and 03.03;

(b) Microbial cultures and other products of heading No. 30.02; and

(c) Animals of heading No. 97.08.

2. Any reference in this Chapter to a particular genus or species, except where the context otherwise requires, includes a reference to the young of that genus or species.

Heading No.	Name of article	Rate of duty
1	2	3
01.01	Live horses, asses, mules and hinnies	*Free*
01.02	Live animals of the bovine species	25% *ad val.*
01.03	Live swine	25% *ad val.*
01.04	Live sheep and goats	25% *ad val.*
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls	*Free*
01.06	Other live animals	25% *ad val.*

CHAPTER 2

MEAT AND EDIBLE MEAT OFFALS

NOTE

This Chapter does not cover:

(a) Products of the kinds described in headings Nos. 02.01, 02.02, 02.03, 02.04 and 02.06, unfit or unsuitable for human consumption;

(b) Guts, bladders of stomachs of animals (heading No. 05.04) and animal blood (heading No. 05.15); or

(c) Animal fat, other than products of heading No. 02.05 (Chapter 15).

Heading No.	Name of article	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No. 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen:	
	A. Meat of bovine animals	125% *ad val.*
	B. Meat of sheep and goats	125% *ad val.*
	C. Meat of swine	125% *ad val.*
	D. Meat of horses, asses, mules and hinnies	125% *ad val.*
	E. Offals	125% *ad val.*

1	2	3
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen	125% *ad val.*
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine	125% *ad val.*
02.04	Other meat and edible meat offals, fresh, chilled or frozen	125% *ad val.*
02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent—extracted), fresh, chilled, frozen, salted, in brine, dried or smoked ..	125% *ad val.*
02.06	Meat and edible meat offals (except poultry liver), salted, in brine dried or smoked :	
	A. Bacon, ham and other pig meat	125% *ad val.*
	B. Other	125% *ad val.*

CHAPTER 3

FISH, CRUSTACEANS AND MOLLUSCS

NOTE

This chapter does not cover:

(a) Marine mammals (heading No. 01.06) or meat thereof (heading No. 02.04 or 02.06);

(b) Fish (including livers and roe thereof), crustaceans and molluscs, dead, unfit or unsuitable for human consumption by reason of either their species or their condition (Chapter 5); or

(c) Caviar or caviar substitutes (heading No. 16.04).

Heading No. 1	Name of article 2	Rate of duty 3
03.01	Fish, fresh (live or dead), chilled or frozen :	
	A. Aquarium fish	*Free.*
	B. Fish caught on high seas outside the territorial waters of Pakistan and directly imported into Pakistan provided that the vessel employed in catching fish is registered in Pakistan or the vessel is chartered by a Pakistan national or by a company incorporated in Pakistan	*Free.*
	C. Other	125% *ad val.*
03.02	Fish, dried, salted or in brine ; smoked fish, whether or not cooked before or during the smoking process :	
	A. Fish, salted, dried, if imported at the port of Gwadar ...	*Free.*
	B. Fish caught on high seas outside the territorial waters of Pakistan and directly imported into Pakistan provided that the vessel employed in catching fish is registered in Pakistan or the vessel is chartered by a Pakistan national or by a company incorporated in Pakistan	*Free.*
	C. Other	125% *ad val.*
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried ; crustaceans, in shell, simply boiled in water	125% *ad val.*

CHAPTER 4

DAIRY PRODUCE; BIRDS' EGGS; NATURAL HONEY; EDIBLE PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED

NOTES

1. The expression "milk" means full cream or skimmed milk, buttermilk, whey, kephir, yoghourt and similar fermented milk.

2. Milk and cream put up in hermetically sealed cans are regarded as preserved within the meaning of heading No. 04.02. However, milk and cream are not regarded as so preserved merely by reason of being pasteurised, sterilised or peptonised, if they are not put up in hermetically sealed cans.

Heading No.	Name of article	Rate of duty
1	2	3
04.01	Milk and cream, fresh, not concentrated or sweetened	25% *ad val.*
04.02	Milk and cream, preserved, concentrated or sweetened :	
	A. In liquid or semi-solid form	25% *ad val.*
	B. In solid form, such as block or powder	25% *ad val.*
04.03	Butter	40% *ad val.*
04.04	Cheese and curd	50% *ad val.*
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not	25% *ad val.*
04.06	Natural honey	50% *ad val.*
04.07	Edible products of animal origin, not elsewhere specified or included ..	50% *ad val.*

CHAPTER 5

PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED

NOTES

1. This Chapter does not cover:

   (a) Edible products (other than guts, bladders and stomachs of animals, whole and pieces thereof, and animal blood liquid or dried);

   (b) Hides or skins (including furskins) other than goods falling within heading No. 05.05, 05.06 or 05.07 (Chapter 41 or 43);

   (c) Animal textile materials, other than horsehair and horsehair waste (Section XI); or

   (d) Prepared knots or tufts for broom or brush making (heading No. 96.03).

2. For the purposes of heading No. 05.01 the sorting of hair by length (provided the root ends and tip ends respectively are not arranged together) shall be deemed not to constitute working.

3. Throughout this Nomenclature elephant, mammoth, mastodon, walrus, narwhal and wild boar tusks, rhinoceros horns and the teeth of all animals are regarded as ivory.

4. Throughout the Nomenclature the expression "horsehair" means hair of the manes and tails of equine or bovine animals.

Heading No.	Name of article	Rate of duty
1	2	3
05.01	Human hair, unworked, whether or not washed or scoured ; waste of human hair	50% *ad val.*
05.02	Pigs', Hogs' and boars' bristles or hair ; badger hair and other brush making hair ; waste of such bristles and hair	50% *ad val.*
05.03	Horsehair and horsehair waste, whether or not put up on a layer or between two layers of other material	50% *ad val.*
05.04	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof	50% *ad val.*
05.05	Fish waste	50% *ad val.*
05.06	Sinews and tendons ; parings and similar waste, of raw hides or skins ..	50% *ad val.*
05.07	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation ; powder and waste of feathers or parts of feathers	50% *ad val.*
05.08	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products	50% *ad val.*
05.09	Horns, antlers, hooves, nails, claws and beaks of animals, unworked or simply prepared but not cut to shape, and waste and powder of these products ; whalebone and the like unworked or simply prepared but not cut to shape, and hair and waste of these products ..	50% *ad val.*
05.10	Ivory, unworked or simply prepared but not cut to shape ; powder and waste of ivory	50% *ad val.*
05.11	Tortoise-shell (shells and scales), unworked or simply prepared but not cut to shape ; claws and waste of tortoise-shell	50% *ad val.*
05.12	Coral and similar substances, unworked or simply prepared but not otherwise worked ; shells, unworked or simply prepared but not cut to shape ; powder and waste of shells	50% *ad val.*
05.13	Natural sponges	50% *ad val.*
05.14	Ambergris, castoreum, civet and musk ; cantharides ; bile, whether or not dried ; animal products, fresh, chilled or frozen, or otherwise provisionally preserved, of a kind used in the preparation of pharmaceutical products	50% *ad val.*
05.15	Animal products not elsewhere specified or included ; dead animals of Chapter 1 or Chapter 3, unfit for human consumption	*Free*

SECTION II

VEGETABLE PRODUCTS

CHAPTER 6

LIVE TREES AND OTHER PLANTS; BULBS, ROOTS AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE

NOTES

1. This Chapter covers only live trees and goods (including seedling vegetables) of a kind commonly supplied by nursery gardeners or florists for planting or for ornamental use; nevertheless it does not include potatoes, onions, shallots, garlic and other products of Chapter 7.

2. Any reference in heading No. 06.03 or 06.04 to goods of any kind shall be construed as including a reference to bouquets, floral baskets, wreaths and similar articles made wholly or partly of goods of that kind, account not being taken of accessories of other materials.

Heading No.	Name of article	Rate of duty
1	2	3
06.01	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower	25% *ad val.*
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips	25% *ad val.*
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	25% *ad val.*
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses, lichens and grasses, being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared ..	25% *ad val.*

CHAPTER 7

EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS

NOTE

In headings Nos. 07.01, 07.02 and 07.03, the word "vegetables" is to be taken to include edible mushrooms, truffles, olives, capers, tomatoes, potatoes, salad beetroot, cucumbers gherkins, marrows, pumpkins, aubergines, sweet peppers, femel, parsley, chervil, tarragon, cress, sweet marjoram (Majorana hortensis or Origanum majorana), horse-radish and garlic.

Heading No. 07.04 covers all dried, dehydrated or evaporated vegetables of the kinds falling within headings Nos. 07.01 to 07.03, other than:

(a) Dried leguminous vegetables, shelled (heading No. 07.05);

(b) Ground sweet peppers (heading No. 09.04);

(c) Flours of the dried leguminous vegetables of heading No. 07.05 (heading No. 11.03);

(d) Flour, meal and flakes of potato (heading No. 11.05).

Heading No.	Name of article	Rate of duty
1	2	3
07.01	Vegetables, fresh or chilled:	
	A. Potatoes	*75% ad val.*
	B. Tomatoes	*75% ad val.*
	C. Seed potatoes, if imported direct by the Ministry of Food and Agriculture, Government of Pakistan, the Department of Agriculture, of a Provincial Government, the Agricultural Development Corporation or under certificate from an officer authorised in this behalf by any of the Provincial Government or by any of the Agricultural Development Corporation to the effect that the potatoes so imported are meant to be used as seed for sowing ..	*Free.*
	D. Other	*75% ad val.*
07.02	Vegetables (whether or not cooked), preserved by freezing	*75% ad val.*
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	*75% ad val.*
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	*75% ad val.*
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split:	
	A. Dried leguminous vegetable seeds; pulses, shelled, whether or not skinned or split	*Free.*
	B. Other	*75% ad val.*
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith	37½ *% ad val.*

CHAPTER 8

EDIBLE FRUIT AND NUTS ; PEEL OF MELONS OR CITRUS FRUITS

NOTES

1. This Chapter does not cover inedible nuts or fruits.

2. The word "fresh" is to be taken to extend to goods which have been **chilled.**

Heading No.	Name of article	Rate of duty
1	2	3
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not :	
	A. Bananas, fresh	62-1/2 % *ad val.*
	B. Coconuts, Brazil nuts and cashew nuts, fresh or dried.. ..	62-1/2% *ad val.*
	C. Other fresh fruit	62-1/2% *ad val.*
	D. Other dried fruit	62-1/2% *ad val.*
08.02	Citrus fruit, fresh or dried :	
	A. Oranges, tangerines, mandarines and clementines	62-1/2% *ad val.*
	B. Other	62-1/2% *ad val.*
08.03	Figs, fresh or dried :	
	A. Fresh	62-1/2% *ad val.*
	B. Dried	62-1/2% *ad val.*
08.04	Grapes, fresh or dried :	
	A. Fresh	62-1/2% *ad val.*
	B. Dried :	
	(*i*) Currants	Rs. 2.50 per cwt.
	(*ii*) Other	62-1/2% *ad val.*
08.05	Nuts other than those falling within heading No. 08.01, fresh or dried, shelled or not :	
	A. Betel nuts	Rs. 5 per lb. + 25% *ad val.*
	B. Other	62-1/2 % *ad val.*
08.06	Apples, pears and quinces, fresh :	
	A. Apples	62-1/2 % *ad val.*
	B. Pears and quinces	62-1/2 % *ad val.*
08.07	Stone fruit, fresh	62-1/2 % *ad val.*
08.08	Berries, fresh	62-1/2 % *ad val.*
08.09	Other fruit, fresh	62-1/2 % *ad val.*
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	62-1/2 % *ad val.*
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption ..	62-1/2 % *ad val.*
08.12	Fruit, dried, other than that falling within heading No. 08.01, 08.02, 08.03, 08.04 or 08.05	62-1/2 % *ad val.*
08.13	Peel of melons and citrus fruit, fresh, frozen, dried, or provisionally preserved in brine, in sulphur water or in other preservative solution.	62-1/2 % *ad val.*

CHAPTER 9

COFFEE, TEA, MATE AND SPICES

NOTES

1. Mixtures of the products of headings Nos. 09.04 to 09.10 are to be classified as follows:

(a) Mixtures of two or more of the products falling within the same headings are to be classified in that heading;

(b) Mixtures of two or more of the products falling within different headings are to be classified under heading No. 09.10.

The addition of other substances to the products of headings Nos. 09.04 to 09.10 [or to the mixtures referred to in paragraph (a) or (b) above] shall not affect their classification provided that the resulting mixtures retain the essential character of the goods falling in those headings. Otherwise such mixtures are not classified in this Chapter; those constituting mixed condiments or mixed seasonings are classified in heading No. 21.04.

2. This Chapter does not cover:

(a) Sweet peppers, unground (Chapter 7); or

(b) Cubeb pepper (Piper cubeba) and other products of heading No. 12.07.

Heading No.	Name of article	Rate of duty
1	2	3
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:	
	A. Coffee and coffee substitutes containing coffee	117-1/2% *ad val.*
	B. Coffee husks and skins	117-1/2% *ad val.*
09.02	Tea	65 Paisa per lb.
09.03	Mate	65 Paisa per lb.
09.04	Pepper of the genus "Piper"; pimento of the genus "Capsicum" or the genus "Pimenta"	50 % *ad val.*
09.05	Vanilla	50% *ad val.*
09.06	Cinnamon and cinnamon-tree flowers	50% *ad val.*
09.07	Cloves (whole fruit, cloves and stems)	50% *ad val.*
09.08	Nutmeg, mace and cardamoms	50% *ad val.*
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper..	50% *ad val.*
09.10	Thyme, saffron and bay leaves; other spices	50% *ad val.*

CHAPTER 10

CEREALS

NOTE

Headings in this Chapter, except heading No. 10.06 are to be taken not to apply to grains which have been ground to remove the husk or pericarp or otherwise worked. Heading No. 10.06 is to be taken to apply to unworked rice and also rice, husked, glazed, polished or broken, but not otherwise worked.

Heading No.	Name of article	Rate of duty
1	2	3
10.01	Wheat and meslin (mixed wheat and rye)	Free.
10.02	Rye	Free.
10.03	Barley	Free.
10.04	Oats	Free.
10.05	Maize	Free.
10.06	Rice :	
	A. In the husk or husked but not further prepared	Free.
	B. Other	Free.
10.07	Buckwheat, millet, canary seed and grain sorghum; other cereals ..	Free.

CHAPTER 11

PRODUCTS OF THE MILLING INDUSTRY ; MALT AND STARCHES ; GLUTEN ; INULIN

NOTES

1. This Chapter does not cover :

   (a) Roasted malt put up as coffee substitutes (heading No. 09.01 or 21.01) ;

   (b) Flours and meal prepared for use as infant food or for dietetic or culinary purposes, of heading No. 19.02 ;

   (c) Corn flakes and other products falling within heading No. 19.05 ;

   (d) Pharmaceutical products (Chapter 30) ; or

   (e) Starches having the character of perfumery, cosmetics or toilet preparations falling within heading No. 33.06.

2. (A) Products from the milling of the cereals listed in the table below fall within this Chapter if they have, by weight on the dry product :

(a) a starch content (determined by the modified Ewers polarimetric method) exceeding that indicated in Column 2 ; and

(b) an ash content (after deduction of any added minerals) not exceeding that indicated in Column 3.

Otherwise, they fall to be classified in heading No. 23.02.

(B) Products falling within this Chapter under the above provisions shall be classified in heading No. 11.01 (cereal flours) if the percentage passing through a silk guaze or man-made textile sieve with the aperture indicated in Column 4 or 5 is not less, by weight, than that shown against the cereal concerned.

Otherwise they fall to be classified in heading No. 11.02.

Cereal	Starch content	Ash content	Rate of passage through a sieve with an aperture of	
			315 Microns	500 Microns
1	2	3	4	5
Wheat and rye	45%	2.5%	80%	—
Barley	45%	3%	80%	—
Oats	45%	5%	80%	—
Maize and sorghum	45%	2%	—	90%
Rice	45%	1.6%	80%	—
Buckwheat	45%	4%	80%	—

Heading No.	Name of article	Rate of duty
1	2	3
11.01	Cereal flours :	
	A. Of wheat or of meslin	Free.
	B. Other	Free.
11.02	Cereal groats and cereal meal ; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground :	
	A. Groats and meal of wheat or of meslin	25% *ad val.*
	B. Cereal groats and meal (other than of wheat or of meslin). ..	25% *ad val.*
	C. Other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared); germ of cereals, whole, rolled, flaked or ground]	50% *ad val.*
11.03	Flours of the leguminous vegetables falling within heading No. 07.05..	50 % *ad val.*
11.04	Flours of the fruits falling within any heading in Chapter 8	50% *ad val.*
11.05	Flour, meal and flakes of potato	50% *ad val.*
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No. 07.06	50% *ad val.*
11.07	Malt, roasted or not	50% *ad val*
11.08	Starches ; inulin	50% *ad val.*
11.09	Wheat gluten, whether or not dried	50% *ad val.*

CHAPTER 12

OILSEEDS AND OLEAGINOUS FRUIT; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL AND MEDICAL PLANTS; STRAW AND FODDER

NOTES

1. Heading No. 12.01 is to be taken to apply, *inter alia,* to ground-nuts, soya beans, mustard seeds, oil poppy seeds, poppy seeds and copra. It is to be taken not to apply to coconuts or other products of heading No. 08.01 or to olives (Chapter 7 or Chapter 20).

2. For the purposes of heading No. 12.03, beet seeds, grass and other herbage seeds, seeds of ornamental flowers, vegetable seeds, seeds of forest trees, seeds of fruit trees, seeds of vetches and of lupines are to be regarded as seeds of a kind used for sowing.

Heading No. 12.03 is, however, to be taken not to apply to the following even if for sowing:

(a) Leguminous vegetables (Chapter 7);

(b) Spices and other products of Chapter 9;

(c) Cereals (Chapter 10); or

(d) Products falling within heading No. 12.01 or 12.07.

3. Heading No. 12.07 is to be taken to apply, *inter alia,* to the following plants or parts thereof: basil, borage, hyssop, all species of mint, rosemary, rue, sage and wormwood.

Heading No. 12.07 is, however, to be taken not to apply to:

(a) Oil seeds and oleaginous fruit (heading No. 12.01);

(b) Medicaments falling within Chapter 30;

(c) Perfumery or toilet preparations falling within Chapter 33; or

(d) Disinfectants, insecticides, fungicides, weed-killers or similar products falling within heading No. 38.11.

Heading No.	Name of article	Rate of duty
1	2	3
12.01	Oilseeds and oleaginous fruit, whole or broken:	
	A. Ground-nuts	25% *ad val.*
	B. Copra	25% *ad val.*
	C. Palm nuts and kernels	25% *ad val.*
	D. Soya beans	25% *ad val.*
	E. Linseed	25% *ad val.*
	F. Cotton seeds	25% *ad val.*
	G. Castor oil seeds	25% *ad val.*
	H. Other	25% *ad val*

1	2	3
12.02	Flours or meals of oil seeds or oleaginous fruit, non-defatted (excluding mustard flour)	75% *ad val.*
12.03	Seeds, fruit and spores, of a kind used for sowing	Free.
12.04	Sugar beet, whole or sliced, fresh, dried or powdered ; sugar cane ..	Free.
12.05	Chicory roots, fresh or dried, whole or cut, unroasted	92-1/2% *ad val.*
12.06	Hop cones and lupulin	87-1/2 % *ad val.*
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered :	
	A. Goods of a kind used primarily in perfumery :	
	(*i*) Agarwood	37-1/2% *ad val.*
	(*ii*) Sandal wood imported for religious purposes by a person or institution approved in this behalf by the Supreme Religious Body of the Parsee Community, Karachi	25% *ad val.*
	(*iii*) Other	75% *ad val.*
	B. Goods of a kind used primarily in pharmacy, namely, katki, jibanti, ghandhamatric, mitabish, kakuli, khirkakuli, kur, duralava, kankrashringi, sailaj, thaikal, kaladana and talishapatra	Free.
	C. Cinchona bark	Free.
	D. Betel leaves	Rs. 20 per lb. +25% *ad val.*
	E. Other	37-1/2% *ad val.*
12.08	Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared ; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading ..	62-1/2% *ad val.*
12.09	Cerealstraw and husks, unprepared, or chopped but not otherwise prepared	25% *ad val.*
12.10	Mangolds, swedes, fodder roots ; hay, lucerne, clover, sainfoin, forage kale, lupines, vetches and similar forage products.	25% *ad val.*

CHAPTER 13

RAW VEGETABLE MATERIALS OF A KIND SUITABLE FOR USE IN DYEING OR IN TANNING ; LACS ; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS

NOTE

Heading No. 13.03 is to be taken to apply, *inter alia,* to liquorice extract and extract of pyrethrum, extract of hops, extract of aloes and opium. The heading is to be taken not to apply to :

(a) Liquorice extract containing more than 10% by weight of sucrose or when put up as confectionery (heading No. 17.04) ;

(b) Malt extract (heading No. 19.01) ;

(c) Extracts of coffee, tea or mate (heading No. 21.02) ;

(d) Alcoholic saps and extracts constituting beverages, and compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages (Chapter 22);

(e) Camphor, glycyrrhizin and other products of headings Nos. 29.13 and 29.41;

(f) Medicaments falling within heading No. 30.03 or blood-grouping reagents (heading No. 30.05);

(g) Tanning or dyeing extracts (heading No. 32.01 or 32.04);

(h) Essential oils, concretes, absolutes and resinoids (heading No. 33.01) or aqueous distillates and aqueous solutions of essential oils (heading No. 33.05); or

(ij) Rubber, balata, gutta-percha or similar natural gums (heading No. 40.01).

Heading No. 1	Name of article 2	Rate of duty 3
13.01	Raw vegetable materials of a kind used primarily in dyeing or in tanning..	25% *ad val.*
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	62-1/2% *ad val.*
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickners, derived from vegetable products:	
	A. Opium	Rs. 75 per seer of 80 tolas.
	B. Other	62-1/2% *ad val.*

CHAPTER 14

VEGETABLE PLAITING AND CARVING MATERIALS; VEGETABLE PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED

NOTES

1. This Chapter does not cover the following products which are to be classified in Section XI: vegetable materials or fibres of vegetable materials of a kind used primarily in the manufacture of textiles, however, prepared, or other vegetable materials which have undergone treatment so as to render them suitable for use only as textile materials.

2. Heading No. 14.01 is to be taken to apply, *inter alia,* to split osier, reeds, bamboos and the like, to rattan cores and to drawn, or split rattans. The handing is to be taken not apply to chipwood (heading No. 44.09).

3. Heading No. 14.02 is to be taken not to apply to wood wool (heading No. 44.12).

4. Heading No. 14.03 is to be taken not to apply to prepared knots or tufts for broom or brush making (heading No. 96.03).

Heading No.	Name of article	Rate of duty
1	2	3
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bamboos, raffia and line bark)	50% *ad val.*
14.02	Vegetable materials, whether or not put up on a layer or between two layers of other material, of a kind used primarily as stuffing or as padding (for example, kapok, vegetable hair and eel-grass) ..	50% *ad val.*
14.03	Vegetable materials of a kind used primarily in brushes or in brooms (for example, sorgho, piassava, couch-grass and istle), whether or not in bundles or hanks	50% *ad val.*
14.04	Hard seeds, pips, hulls and nuts, of a kind used for carving (for example, corozo and dom)	50% *ad val.*
14.05	Vegetable products not elsewhere specified or included :	
	A. Tendu leaves (Biri leaves)	Rs. 2 per lb. + 25% *ad val.*
	B. Other	50% *ad val.*

SECTION III

ANIMAL AND VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS ; PREPARED EDIBLE FATS ; ANIMAL AND VEGETABLE WAXES

CHAPTER 15

ANIMAL AND VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS ; PREPARED EDIBLE FATS ; ANIMAL AND VEGETABLE WAXES

NOTES

1. This Chapter does not cover :

(a) Pig fat or poultry fat of heading No. 02.05 ;

(b) Cocoa butter (fat or oil) (heading No. 18.04) ;

(c) Greaves (heading No. 23.01) and residues of heading No. 23.04 ;

(d) Fatty acids in an isolated state, prepared waxes, medicaments, paints, varnishes, soap, perfumery, cosmetics or toilet preparations, sulphonated oils or other goods falling within any heading in Section VI ; or

(e) Factice derived from oils (heading No. 40.02).

2. Soapstocks, oil foots and dregs, stearin, wool grease and glycerol residues are to be taken to fall in heading No. 15.17.

Heading No.	Name of article	Rate of duty
1	2	3
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted ..	50% *ad val.*
15.02	Fats of bovine cattle, sheep or goats, unrendered ; rendered or solvent-extracted fats (including " premier jus ") obtained from those unrendered fats :	
	A. Tallow	12-1/2% *ad val.*
	B. Other	50% *ad val.*
15.03	Lard stearin, oleostearin and tallow stearin ; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way	50% *ad val.*
15.04	Fats and oils, of fish and marine mammals, whether or not refined ..	50% *ad val.*
15.05	Wool grease and fatty substances derived therefrom (including lanolin) ..	50% *ad val.*
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	50% *ad val.*
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified :	
	A. Soya bean oil	Free.
	B. Cotton seed oil	Free.
	C. Ground-nut oil	Free.
	D. Olive oil	50% *ad val.*
	E. Sunflower seed oil	Free.
	F. Rape oil, colza oil and mustard oil	50% *ad val.*
	G. Linseed oil	50% *ad val.*
	H. Palm oil	50% *ad val.*
	K. Coconut (copra) oil	50% *ad val.*
	L. Palm kernel oil	50% *ad val.*
	M. Castor oil	50% *ad val.*
	N. Other	50% *ad val.*
15.08	Animal and vegetable oils, boiled, oxidised, dehydrated, sulphurised, blown or polymerised by heat in vacuum or in inert gas, or otherwise modified	50% *ad val.*
15.09	Degras	25% *ad val.*
15.10	Fatty acids ; acid oils from refining ; fatty alcohols :	
	A. Fatty acids ; acid oils from refining	25% *ad val.*
	B. Fatty alcohols	25% *ad val.*
15.11	Glycerol and glycerol lyes	50% *ad val.*
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared :	
	A. Animal oils and fats :	
	(*i*) Fish oil and whale oil	Rs. 30 per cwt.
	(*ii*) Other	50% *ad val.*
	B. Other :	
	(*i*) Vegetable ghee	Free.
	(*ii*) Other	62-1/2% *ad val.*
15.13	Margarine, imitation lard and other prepared edible fats ..	62-1/2% *ad val.*
15.14	Spermaceti, crude, pressed or refined, whether or not coloured ..	62-1/2% *ad val.*
15.15	Beeswax and other insect waxes, whether or not coloured	62-1/2% *ad val.*
15.16	Vegetable waxes, whether or not coloured	62-1/2% *ad val.*
15.17	Residues resulting from the treatment of fatty substances or animal or vegetable waxes	62-1/2% *ad val.*

SECTION IV

PREPARED FOODSTUFFS ; BEVERAGES, SPIRITS AND VINEGAR ; TOBACCO

CHAPTER 16

PREPARATIONS OF MEAT, OF FISH, OF CRUSTACEANS OR MOLLUSCS

NOTE

This Chapter does not cover meat, offal, fish, crustaceans or molluscs, prepared or preserved by the processes specified in Chapters 2 and 3.

Heading No.	Name of article	Rate of duty
1	2	3
16.01	Sausages and the like, of meat, meat offal or animal blood	125% *ad val.*
16.02	Other prepared or preserved meat or meat offal	125% *ad val.*
16.03	Meat extracts and meat juices ; fish extracts	125% *ad val.*
16.04	Prepared or preserved fish, including caviar and caviar substitutes ...	125% *ad val.*
16.05	Crustaceans and molluscs, prepared or preserved	125% *ad val.*

CHAPTER 17

SUGARS AND SUGAR CONFECTIONERY

NOTES

1. This Chapter does not cover:

   (a) Sugar confectionery containing cocoa (heading No. 18.06);

   (b) Chemically pure sugars (other than sucrose, glucose and lactose) and other products of heading No. 29.43 ; or

   (c) Medicaments and other products of Chapter 30.

2. Chemically pure sucrose, whatever its origin, is to be classified in heading No. 17.01.

Heading No.	Name of article	Rate of duty
1	2	3
17.01	Beet sugar and cane sugar, solid :	
	A. Not refined	Rs. 7.50 per cwt.
	B. Refined	Rs. 7.50 per cwt.
17.02	Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel :	
	A. Chemically pure glucose	25% *ad val.*
	B. Other	62-1/2% *ad val.*
17.03	Molasses, whether or not decolourised	25% *ad val.*
17.04	Sugar confectionery, not containing cocoa	125% *ad val.*
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion ...	62-1/2% *ad val.*

CHAPTER 18

COCOA AND COCOA PREPARATIONS

NOTES

1. This Chapter does not cover the preparations described in heading No. 19.02, 19.08, 22.02, 22.09 or 30.03 containing cocoa or chocolate.

2. Heading No. 18.06 includes sugar confectionery containing cocoa and subject to Note 1 of this Chapter, other food preparations containing cocoa.

Heading No.	Name of article	Rate of duty
1	2	3
18.01	Cocoa beans, whole or broken, raw or roasted	75 % *ad val.*
18.02	Cocoa shells, husks, skins and waste	75% *ad val.*
18.03	Cocoa paste (in bulk or in block), whether or not defatted	87-1/2% *ad val.*
18.04	Cocoa butter (fat or oil)	87-1/2% *ad val.*
18.05	Cocoa powder, unsweetened	87-1/2% *ad val.*
18.06	Chocolate and other food preparations containing cocoa	150% *ad val.*

CHAPTER 19

PREPARATIONS OF CEREALS, FLOUR OR STARCH; PASTRYCOOKS' PRODUCTS

NOTES

1. This Chapter does not cover:

(a) Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing 50% or more by weight of cocoa (heading No. 18.06);

(b) Biscuits or other articles made from flour or from starch specially prepared for use as animal feeding stuffs (heading No. 23.07); or

(c) Medicaments and other products of Chapter 30.

2. In this Chapter the expression "flour" includes the flour of fruits or of vegetables, and products of such flour are to be classified with similar products of cereal flour.

Heading No.	Name of article	Rate of duty
1	2	3
19.01	Malt extract	50% *ad val.*
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:	
	A. Malted milk and similar preparations composed of powdered milk and malt extract with or without added sugar	50% *ad val.*
	B. Other	37-1/2% *ad val.*

	2	3
19.03	Macaroni, spaghetti and similar products	75% *ad val.*
19.04	Tapioca and sago ; tapioca and sago substitutes obtained from potato or other starches	50% *ad val.*
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)	62-1/2% *ad val.*
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	62-1/2% *ad val.*
19.07	Bread, ships, biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	125% *ad val.*
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	125% *ad val.*

CHAPTER 20

PREPARATIONS OF VEGETABLES, FRUIT OR OTHER PARTS OF PLANTS

NOTES

1. This Chapter does not cover :

(a) Vegetables or fruit, prepared or preserved by the processes specified in Chapters 7 and 8 ; or

(b) Fruit jellies, fruit pastes or the like in the form of sugar confectionery (heading No. 17.04) or chocolate confectionery (heading No. 18.06).

2. The vegetables of headings Nos. 20.01 and 20.02 are those which fall in headings Nos. 07.01 to 07.05 when imported in the states provided for in those headings.

3. Edible plants, parts of plants and roots of plants conserved in syrup (for example, ginger and angelica) are to be classified with the preserved fruit falling under heading No. 20.06 ; roasted ground-nuts are also to be classified in heading No. 20.06.

4. Tomato juice the dry weight content of which is 7% or more is to be classified under heading No. 20.02.

Heading No. 1	Name of article 2	Rate of duty 3
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	125% *ad val.*
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	125% *ad val.*
20.03	Fruit preserved by freezing, containing added sugar	125% *ad val.*

1	2	3
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glace or crystallised)	125% *ad val.*
20.05	Jams, fruit jellies, marmalades, fruit puree and fruit pastes, being cocked preparations, whether or not containing added sugar	125% *ad val.*
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirits	125% *ad val.*
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit	125% *ad val.*

CHAPTER 21

MISCELLANEOUS EDIBLE PREPARATIONS

NOTES

1. This Chapter does not cover:

   (a) Mixed vegetables of heading No. 07.04;

   (b) Roasted coffee substitutes containing coffee in any proportion (heading No. 09.01);

   (c) Spices and other products of headings Nos. 09.04 to 09.10; or

   (d) Yeast put up as a medicament and other products of heading No. 30.03.

2. Extracts of the substitutes referred to in Note 1 (b) above are to be classified in heading No. 21.02.

3. For the purposes of heading No. 21.05, the expression "homogenised composite food preparations" means preparations of a kind used as infant food or for dietetic purposes, consisting of a finely homogenised mixture of two or more basic ingredients such as meat (including meat offal), fish, vegetables and fruit. For the application of this definition, no account is to be taken of small quantities of any ingredients which may be added to the mixture for seasoning, preservation or other purposes. Such preparations may contain a small quantity of visible pieces of ingredients other than meat, meat offal or fish.

Heading No.	Name of article	Rate of duty
1	2	3
21.01	Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof	92-1/2% *ad val.*
21.02	Extracts, essences or concerates, of coffee, tea or mate; preparations with a basis of those extracts, essences or concentrates:	
	A. Extracts, essences or concentrates of coffee, and preparations with a basis of those extracts, essences or concentrates ..	117½% *ad val.*
	B. Other	92-1/2% *ad val.*
21.03	Mustard flour and prepared mustard	125% *ad val.*
21.04	Sauces; mixed condiments and mixed seasonings	125% *ad val.*
21.05	Soups and broths, in liquid, solid or powder form; homogenised composite food preparations	125% *ad val.*
21.06	Natural yeasts (active or inactive); prepared baking powders	50% *ad val.*
21.07	Food preparations not elsewhere specified or included:	
	A. Flavouring powders and concentrated extracts for the preparation of food and beverages	87½% *ad val.*
	B. Foods for infants and invalids	37½% *ad val.*
	C. Other	125% *ad val.*

CHAPTER 22

BEVERAGES, SPIRITS AND VINEGAR

NOTES

1. This Chapter does not cover :

(a) Sea water (heading No. 25.01) ;

(b) Distilled and conductivity water and water of similar purity (heading No. 28.58) ;

(c) Acetic acid of a concentration exceeding 10% by weight of acetic acid (heading No. 29.14) ;

(d) Medicaments of heading No. 30.03 ; or

(e) Perfumery or toilet preparations (Chapter 33).

2. For the purposes of headings Nos. 22.08 and 22.09, the alcoholic strength is to be taken to be that shown on test by Gay Lussac's hydrometer at a temperature of 15°C.

Heading No. 1	Name of article 2	Rate of duty 3
22.01	Waters, including spa waters and aerated waters ; ice and snow :	
	A. Ordinary natural water and natural snow and ice	Free.
	B. Other	50% *ad val.*
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No. 20.07	125% *ad val.*
22.03	Beer made from malt :	
	A. In barrels or other containers containing 27 oz. or more ..	Rs. 7.50 per liquid gallon +25% *ad val.*
	B. In bottles containing less than 27 oz. but not less than 20 oz. ..	Rs. 1.50 per bottle + 25% *ad val.*
	C. In bottles containing less than 13-1/2 oz. but not less than 10 oz.	60 paisa per bottle + 25% *ad val.*
	D. In bottles containing less than 6-3/4 oz. but not less than 5 oz...	30 paisa per bottle + 25% *ad val.*
	E. In other containers	Rs. 10 per liquid gallon +25% *ad val.*
22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol	125% *ad val.*

1	2	3
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :	
	A. Wines not containing more than 42% of proof spirit :	
	(*i*) Champagne and other sparkling wines	Rs. 56 per liquid gallon.
	(*ii*) Other sorts	Rs. 32 per liquid gallon.
	B. Wines containing more than 42% of proof spirit	Rs. 360 per proof gallon + 25% *ad val.*
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	The duties applicable to heading No. 22.05
22.07	Other fermented beverages (for example, cider, perry and mead) :	
	A. Cider	187½% *ad val.*
	B. Other	The duties applicable to headings Nos. 22.03 and 22.05
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher ; denatured spirits (including ethyl alcohol and neutral spirits) of any strength :	
	A. Denatured spirits..	62-1/2% *ad val.*
	B. Other	Rs. 360 per proof gallon +25% *ad val.*
22.09	Spirits (other than those of heading No. 22.08) ; liqueurs and other spirituous beverages ; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages :	
	A. Brandy, Gin, Whisky and other sorts of spirits, not otherwise specified	Rs. 360 per proof gallon +25% *ad val.*
	B. Liqueurs, cordials and mixtures and other preparations containing spirit, not otherwise specified :	
	(*i*) Entered in such a manner as to indicate that the strength is not to be tested	Rs. 480 per liquid gallon +50% *ad val.*
	(*ii*) Not so entered	Rs. 360 per proof gallon +50% *ad val.*
22.10	Vinegar and substitutes for vinegar	125% *ad val.*

CHAPTER 23

RESIDUES AND WASTE FROM THE FOOD INDUSTRIES ; PREPARED ANIMAL FODDER

Heading No. 1	Name of article 2	Rate of duty 3
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves	25% *ad val.*
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables	25% *ad val.*

1	2	3
23.03	Beet-pulp, bagasse and other waste of sugar manufacture ; brewing and distilling dregs and waste ; residues of starch manufacture and similar residues	25% *ad val.*
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils	25% *ad val.*
23.05	Wine lees ; argol	25% *ad val.*
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included	25% *ad val.*
23.07	Sweetened forage ; other preparations of a kind used in animal feeding	25% *ad val.*

CHAPTER 24

TOBACCO

Heading No.	Name of article	Rate of duty
1	2	3
24.01	Unmanufactured tobacco ; tobacco refuse	Rs. 15 per lb.
24.02	Manufactured tobacco ; tobacco extracts and essences :	
	A. Cigars and cheroots	250% *ad val.*
	B. Cigarettes	250% *ad val.*
	C. Other manufactured tobacco, extracts and essences :	
	(*i*) Manufactured tobacco	Rs. 60 per lb +25% *ad val.*
	(*ii*) Tobacco extracts and essences	62½% *ad val.*

SECTION V

MINERAL PRODUCTS

CHAPTER 25

SALT ; SULPHUR ; EARTHS AND STONE ; PLASTERING MATERIALS, LIME AND CEMENT

NOTES

1. Except where the context otherwise requires, the headings of this Chapter are to be taken to apply only to goods which are in the crude state, or which have been washed (even with chemical substances eliminating the impurities without changing the structure of the product), crushed, ground, powdered, levigated, sifted, screened, concentrated by flotation, magnetic separation or other mechanical or physical processes (not including crystallisation) but not calcined or subjected to any further process other than a process specially mentioned in any heading in respect of the goods described therein.

2. This Chapter does not cover :

(a) Sublimed sulphur, precipitated sulphur or colloidal sulphur (heading No. 28.02) ;

(b) Ferrous earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3 (heading No. 28.23) ;

(c) **Medicaments and other products of Chapter 30 ;**

(d) Perfumery, cosmetics or toilet preparations of heading No. 33.06 ;

(e) Road and paving setts, curbs and flagstones (heading No. 68.01), mosaic cubes (heading No. 68.02) and roofing, facing and damp course slates (heading No. 68.03) ;

(f) Precious or semi-precious stones (heading No. 71.02) ;

(g) **Cultured sodium chloride crystals (other than optical elements) weighing** not less than 2.5g each, of heading No. 38.19 : optical elements of **sodium chloride (heading No. 90.01) ; or**

(h) Writing or drawing chalks, tailors' or billiards chalks **(heading No. 98.05).**

Heading No.	Name of article	Rate of duty
1	2	3
25.01	Common salt (including rock salt, sea salt and Table salt); pure sodium chloride ; salt liquors ; sea water :	
	A. Common salt :	
	(*i*) Imported in bulk	Rs. 187.50 per ton.
	(*ii*) Other	125% *ad val.*
	B. Pure sodium chloride	25% *ad val.*
	C. Other	37-1/2% *ad val.*
25.02	Unroasted iron pyrites	12½% *ad val.*
25.03	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	12½% *ad val.*
25.04	Natural graphite	12½% *ad val.*
25.05	Natural sands of all kinds, whether or not coloured, other than metal-bearing sands falling within heading No. 26.01	25% *ad val.*
25.06	Quartz (other than natural sands) ; quartzite, including quartzite not further worked than roughly split, roughly squared or squared by sawing	62-1/2% *ad val.*
25.07	Clay (for example, kaolin and bentonite), andalusite, kyanite and sillimanite, whether or not calcined, but not including expanded clays falling within heading No. 68.07 ; mullite ; chamotte and dinas earths	50% *ad val.*
25.08	Chalk	25% *ad val.*
25.09	Earth colours, wheather or not calcined or mixed together ; natural micaceous iron oxides	25% *ad val.*
25.10	Natural calcium phosphates, natural aluminium calcium phosphates, apatite and phosphatic chalk	50% *ad val.*

1	2	3
25.11	Natural barium sulphate (barytes); natural barium carbonate (witherite), whether or not calcined, other than barium oxide	25% *ad val*
25.12	Siliceous fossil meals and similar siliceous earths (for example, kieselguhr, tripolite or diatomite), whether or not calcined, of an apparent specific gravity of 1 or less	25% *ad val.*
25.13	Pumice stone ; emery ; natural corundum, natural garnet and other natural abrasives, whether or not heat-treated	25% *ad val.*
25.14	Slate, including slate not further worked than roughly split, roughly squared or squared by sawing	62-1/2% *ad val.*
25.15	Marble, travertine, ecaussine and other calcareous monumental and building stone of an apparent specific gravity of 2.5 or more and alabaster, including such stone not further worked than roughly split, roughly squared or squared by sawing	62-1/2% *ad val.*
25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing	62-1/2% *ad val.*
25.17	Pebbles and crushed or broken stone (whether or not heat-treated), gravel, macadam and tarred macadam, of a kind commonly used for concrete aggregates, for road metalling or for railway or other ballast ; flint and shingle, whether or not heat-treated ; granules and chippings (whether or not heat treated) and powder of stones falling within heading No. 25.15 or 25.16 :	
	A. Flint	62-1/2% *ad val.*
	B. Other	Free.
25.18	Dolomite, whether or not calcined, including dolomite not further worked than roughly split, roughly squared or squared by sawing ; agglomerated dolomite (including tarred dolomite)	62-1/2% *ad val.*
25.19	Natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide	25% *ad val.*
25.20	Gypsum ; anhydrite ; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry	62-1/2 % *ad val.*
25.21	Limestone flux and calcareous stone, commonly used for the manufacture of lime or cement	62-1/2% *ad val.*
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide	62-1/2% *ad val.*
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of Clinker :	
	A. Portland cement excluding coloured and white portland cement	Rs. 60 per ton.
	B. Other	62-1/2% *ad val.*
25.24	Asbestos	25% *ad val.*

1	2	3
25.25	Meerschaum (whether or not in polished pieces) and amber ; agglomerated meerschaum and agglomerated amber, in plates, rods, sticks or similar forms, not worked after moulding ; jet	62½% *ad val.*
25.26	Mica, including splittings ; mica waste	25 % *ad val.*
25.27	Natural steatite, including natural steatite not further worked than roughly split, roughly squared or squared by sawing ; talc	25% *ad val.*
25.28	Natural cryolite and natural chiolite	12½% *ad val.*
25.29	Natural arsenic sulphides	12½% *ad val.*
25.30	Crude natural borates and concentrates thereof (calcined or not), but not including borates separated from natural brine ; crude natural boric acid containing not more than 85% of $H^3 BO^3$ calculated on the dry weight	12½% *ad val.*
25.31	Felspar, leucite, nepheline and nepheline syenite ; flourspar	25% *ad val.*
25.32	Strontianite (whether or not calcined), other than strontium oxide ; mineral substances not elsewhere specified or included ; broken pottery :	
	A. Ores of the radio-active metals and of the rare earth metals.	12-1/2% *ad val.*
	B. Other	25% *ad val.*

CHAPTER 26

METALLIC ORES, SLAG AND ASH

NOTES

1. This chapter does not cover :

(a) Slag and similar industrial waste prepared as macadam (heading No. 25.17) ;

(b) Natural magnesium carbonate (magnesite), whether or not calcined (heading No. 25.19) ;

(c) Basic slag of Chapter 31 ;

(d) Slag wool, rock wool or similar mineral wools (heading No. 68.07) ;

(e) Goldsmiths' sliversmiths' and jewelers' sweepings, residues, lemels and other waste and scrap, of precious metal (heading No. 71.11) ; or

(f) Copper, nickel or cobalt mattes produced by any process of smelting (Section XV).

2. For the purposes of heading No. 26.01, the term " metallic ores " means minerals of mineralogical species actually used in the metallurgical industry for the extraction of mercury, of the metals of heading No. 28.50 or of the metals of Section XIV or XV, even if they are intended for non-metallurgical purposes. The heading does not, however, include minerals which have been submitted to processes not normal to the metallurgical industry.

3. Heading No. 26.03 is to be taken to apply only to ash and residues of a kind used in industry either for the extraction of metals or as a basis for the manufacture of chemical compounds of metals.

Heading No.	Name of article	Rate of duty
1	2	3
26.01	Metallic ores and concentrates and roasted iron pyrites :	
	A. Iron ore and concentrates (except roasted iron pyrites) ..	.. 12-1/2% *ad val.*
	B. Roasted iron pyrites	.. 12-1/2% *ad val*
	C. Copper ore and concentrates	.. 12-1/2% *ad val.*
	D. Nickel ore and concentrates	.. 12-1/2% *ad val.*
	E. Bauxite and concentrates	.. 12-1/2% *ad val.*
	F. Lead ore and concentrates	.. 12-1/2% *ad val.*
	G. Zinc ore and concentrates	.. 12-1/2% *ad val.*
	H. Tin ore and concentrates	.. 12-1/2% *ad val.*
	K. Manganese ore and concentrates	.. 12-1/2% *ad val.*
	L. Chromium ore and concentrates	.. 12-1/2% *ad val.*
	M. Tungsten ore and concentrates	.. 12-1/2% *ad val.*
	N. Ores and concentrates of titanium, vanadium, molybdenum, tantalum and zirconium	.. 12-1/2% *ad val.*
	P. Base metal ores and concentrates (other than those falling within sub-heads A to N and R)	.. 12-1/2% *ad val.*
	Q. Ores and concentrates of silver, platinum and other metals of the platinum group	.. 12-1/2% *ad val.*
	R. Ores and concentrates of uranium and thorium ..	.. 12-1/2% *ad val.*
	S. Gold ore	.. 12-1/2% *ad val.*
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel	.. 12-1/2% *ad val.*
26.03	Ash and residues (other than from the manufacture of iron or steel, containing metals or metallic compounds	.. 12-1/2% *ad val.*
26.04	Other slag and ash, including kelp	.. 12-1/2% *ad val.*

CHAPTER 27

MINERAL FUELS, MINERAL OILS AND PRODUCTS OF THEIR DISTILLATION ; BITUMINOUS SUBSTANCES ; MINERAL WAXES

NOTES

1. This Chapter does not cover :

(a) Separate chemically defined organic compounds, other than chemically pure methane and propane which are to be classified in heading No. 27.11 ;

(b) Medicaments falling within heading No. 30.03 ; or

(c) Mixed unsaturated hydrocarbons falling within heading No. 33.01, 33.02, 33.04 or 38.07.

2. Heading No. 27.07 is to be taken to include products similar to those obtained by the distillation of high temperature coal tar but which are obtained by the distillation of low temperature coal tar or other mineral tars, by processing petroleum or by any other process, provided that the weight of the aromatic constituents exceeds that of the non-aromatic constituents.

3. References in heading No. 27.10 to petroleum oils and oils obtained from bituminous minerals are to be taken to include not only petroleum oils and oils obtained from bituminous minerals but also similar oils, as well as those consisting of mixed unsaturated hydrocarbons, obtained by any process, provided that the weight of the non-aromatic constituents exceeds that of the aromatic constituents.

4. Heading No. 27.13 is to be taken to include not only paraffin wax and the other products specified therein, but also similar products obtained by synthesis or by other processes.

Heading No.	Name of article	Rate of duty
1	2	3
27.01	Coal ; briquettes, ovoids and similar solid fuels manufactured from coal :	
	A. Coal	Free
	B. Other	Free
27.02	Lignite, whether or not agglomerated	Free
27.03	Peat (including peat litter), whether or not agglomerated	Free
27.04	Coke and semi-coke of coal, of lignite or of peat	25% *ad val.*
27.05	Retort carbon	25% *ad val.*
27.05 (bis)	Coal gas, water gas, producer gas and similar gases	25% *ad val.*
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products	25% *ad val.*

1	2	3
27.07	Oils and other products of the distillation of high temperature coal tar ; similar products as defined in Note 2 to this Chapter	25% *ad val.*
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars :	
	A. Pitch	25% *ad val.*
	B. Pitch coke..	25% *ad val.*
27.09	Petroleum oils and oils obtained from bituminous minerals, crude ..	Free.
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude ; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations :	
	A. Partly refined petroleum, including topped crudes	50% *ad val.*
	B. Motor spirit	Rs. 4 per gallon.
	C. Kerosene, Jet fuels and white spirit :	
	(*i*) Jet fuels	25 paisa per gallon.
	(*ii*) Other	20 paisa per gallon.
	D. Gas oil, diesel oils and other fuel oils :	
	(*i*) Light diesel oil	57½ paisa per gallon.
	(*ii*) Furnace oil	17½ paisa per gallon.
	(*iii*) High speed diesel oil	Rs. 1.35 per gallon.
	(*iv*) Other	62½% *ad val.*
	E. Lubricating oil and other oils and preparations :	
	(*i*) Lubricating oil, that is oil such as is not ordinarily used for any other purpose than lubrication, excluding any mineral oil which has its flashing point below two hundred degrees of Fahrenheit's thermometer by Abel's close test :	
	(a) In packs not exceeding 1 gallon	Rs. 4. per gallon.
	(b) Other	Rs. 3 per gallon.
	(*ii*) Other :	
	(a) Mineral oil which has its flashing point at or above two hundred degrees of Fahrenheit's thermometer and is ordinarily used for the batching of jute or other fibre	17½% *ad val.*
	(b) Greases	62½% *ad val.*
	(c) Other	62½% *ad val.*
27.11	Petroleum gases and other gaseous hydrocarbons	25% *ad val.*
27.12	Petroleum jelly	25% *ad val.*
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured ..	37½% *ad val.*

1	2	3
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals :	
	A. Petroleum coke	37½% *ad val.*
	B. Other	37½% *ad val.*
27.15	Bitumen and asphalt, natural ; bituminous shale, asphaltic rock and tar sands	37½% *ad val.*
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)	37½% *ad val.*
27.17	Electric current	Free.

SECTION VI

PRODUCTS OF THE CHEMICAL AND ALLIED INDUSTRIES

NOTES

1. (a) Goods (other than radio-active ores) answering to a description in heading No. 28.50 or 28.51 are to be classified in those headings and in no other heading of the Nomenclature.

(b) Subject to paragraph (a) above, goods answering to a description in heading No. 28.49 or 28.52 are to be classified in those headings and in no other heading of this Section.

2. Subject to Note 1 above, goods classifiable within heading No. 30.03, 30.04, 30.05, 32.09, 33.06, 35.06, 37.08 or 38.11 by reason of being put up in measured doses or for sale by retail are to be classified in those headings and in no other heading of the Nomenclature.

CHAPTER 28

INORGANIC CHEMICALS ; ORGANIC AND INORGANIC COMPOUNDS OF PRECIOUS METALS, OF RARE EARTH METALS, OF RADIO-ACTIVE ELEMENTS AND OF ISOTOPES

NOTES

1. Except where their context or these Notes otherwise require, the headings of this Chapter are to be taken to apply only to :

(a) Separate chemical elements and separate chemically defined compounds, whether or not containing impurities ;

(b) Products mentioned in (a) above dissolved in water ;

(c) Products mentioned in (a) above dissolved in other solvents provided that the solution constitutes a normal and necessary method of putting up these products adopted solely for reasons of safety or for transport and that the solvent does not render the product particularly suitable for some types of use rather than for general use ;

(d) The products mentioned in (a), (b) or (c) above with an added stabiliser necessary for their preservation or transport ;

(e) The products mentioned in (a), (b), (c) or (d) above with an added anti-dusting agent or a colouring substance added to facilitate their identification or for safety reasons, provided that the additions do not render the product particularly suitable for some types of use rather than for general use.

2. In addition to dithionites stabilised with organic substances and to sulphoxylates (heading No. 28.36), carbonates and percarbonates of inorganic bases (heading No. 28.42), cyanides and complex cyanides of inorganic bases (heading No. 28.43), fulminates, cyanates and thio-cyanates, of inorganic bases (heading No. 28.44), organic products included in headings Nos. 28.49 to 28.52 and metal and non-metal carbides (heading No. 28.56), only the following compounds of carbon are also to be classified in the present Chapter :

(a) Oxides of carbon ; hydrocyanic, fulminic, isocyanic, thiocyanic and other simple or complex cyanogen acids (heading No. 28.13) ;

(b) Oxyhalides of carbon (heading No. 28.14) ;

(c) Carbon disulphide (heading No. 28.15) ;

(d) Thiocarbonates, selenocarbonates, tellurocarbonates, selenocyanates, tellurocyanates, tetrathiocyanatodiamminochromates (reineckates) and other complex cyanates, of inorganic bases (heading No. 28.48) ;

(e) Solid hydrogen peroxide (heading No. 28.54), carbon oxysulphide, thiocarbonyl halides, cyanogen, cyanogen halides and cyanamide and its metallic derivatives (heading No. 28.58) other than calcium cyanamide containing not more than 25% by weight of nitrogen, calculated on the dry anhydrous product (Chapter 31).

3. This Chapter does not cover :

(a) Sodium chloride or other mineral products falling within Section V ;

(b) Organo-inorganic compounds other than those mentioned in Note 2 above ;

(c) Products mentioned in Note 1, 2, 3, or 4 of Chapter 31 ;

(d) Inorganic products of a kind used as luminophores, falling within heading No. 32.07 ;

(e) Artificial graphite (heading No. 38.01) ; products put up as charges for fire-extinguishers or put up in fire-extinguishing grenades, of heading No. 38.17 ; ink removers put up in packings for sale by retail, of heading No. 38.19 ; cultured crystals (other than optical elements) weighing not less than 2.5g each, of magnesium oxide or of the halides of the alkali or of the alkaline-earth metals, of heading No. 38.19 ;

(f) Precious or semi-precious stones (natural, synthetic or reconstructed) or dust or powder of such stones (headings Nos. 71.02 to 71.04), and precious metals falling within Chapter 71 ;

(g) The metals, whether or not chemically pure, falling within any heading of Section XV ; or

(h) Optical elements, for example, of magnesium oxide or of the halides of the alkali or of the alkaline-earth metals (heading No. 90.01).

4. Chemically defined complex acids consisting of a non-metal acid falling within sub-Chapter II and a metallic acid falling within sub-Chapter IV are to be classified in heading No. 28.13.

5. Headings Nos. 28.29 to 28.48 inclusive are to be taken to apply only to metallic or ammonium salts or peroxysalts. Except where the context otherwise requires, double or complex salts are to be classified in heading No. 28.48.

6. Heading No. 28.50 is to be taken to apply only to :

(a) The following fissile chemical elements and isotopes : natural uranium and uranium isotopes 233 and 235, plutonium and plutonium isotopes ;

(b) The following radio-active chemical elements ; technetium, promethium, polonium, astatine, radon, francium, radium, actinium, protactinium, neptunium, americium and other elements of higher atomic number ;

(c) All other radio-active isotopes, natural or artificial, including those of the precious metals and of the base metals of Sections XIV and XV ;

(d) Compounds, inorganic or organic, of these elements or isotopes, whether or not chemically defined and whether or not mixed together ;

(e) Alloys (other than ferro-uranium), dispersions and cermets, containing any of these elements or isotopes or their inorganic or organic compounds ;

(f) Nuclear reactor cartridges, spent or irradiated.

The term " isotopes " mentioned above and in headings Nos. 28.50 and 28.51 includes " enriched isotopes ", but does not including chemical elements which occur in nature as pure isotopes nor uranium depleted in U 235.

7. Heading No. 28.55 is to be taken to include ferro-phosphorus containing 15% or more by weight of phosphorus and phosphor copper containing more than 8% by weight of phosphorus.

8. Chemical elements (for example, silicon and selenium) doped for use in electronics are to be classified in the present Chapter, provided that they are in forms unworked as drawn, or in the form of cylinders or rods. When cut in the form of discs, wafers or similar forms, they fall in heading No. 38.19.

Heading No.	Name of article	Rate of duty
1	2	3
	I. CHEMICAL ELEMENTS	
28.01	Halogens (fluorine, chlorine, bromine and iodine) :	
	A. Chlorine	25% *ad val.*
	B. Other	25% *ad val.*

1	2	3
28.02	Sulphur, sublimed or precipitated ; colloidal sulphur	25% *ad val.*
28.03	Carbon (including carbon black)	25% *ad val.*
28.04	Hydrogen, rare gases and other non-metals :	
	A. Oxygen	62½% *ad val.*
	B. Nitrogen	62½% *ad val.*
	C. Hydrogen	62½% *ad val.*
	D. Rare gases	25% *ad val.*
	E. Other	25% *ad val.*
28.05	Alkali and alkaline-earth metals ; rare earth metals, yttrium and scandium and intermixtures or interalloys thereof ; mercury :	
	A. Mercury	25% *ad val.*
	B. Other	25% *ad val.*
	II. INORGANIC ACIDS AND OXYGEN COMPOUNDS OF NON-METALS	
28.06	Hydrochloric acid and chlorosulphuric acid :	
	A. Chlorosulphuric acid	25% *ad val.*
	B. Other	62½% *ad val.*
28.07	Sulphur dioxide	25% *ad val.*
28.08	Sulphuric acid; oleum	62½% *ad val.*
28.09	Nitric acid ; sulphonitric acids :	
	A. Sulphonitric acids	25% *ad val.*
	B. Other	62½% *ad val.*
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho-and pyro-)..	25% *ad val.*
28.11	Arsenic trioxide, arsenic pentoxide and acids of arsenic	25% *ad val.*
28.12	Boric oxide and boric acid	25% *ad val.*
28.13	Other inorganic acids and oxygen compounds of non-metal (excluding water)	25% *ad val.*
	III. HALOGEN AND SULPHUR COMPOUNDS OF NON-METALS	
28.14	Halides, oxyhalides and other halogen compounds of non-metals ..	25% *ad val.*
28.15	Sulphides of non-metals ; phosphorus trisulphide	25% *ad val.*
	IV. INORGANIC BASES AND METALLIC OXIDES, HYDROXIDES AND PEROXIDES	
28.16	Ammonia, anhydrous or in aqueous solution	62½% *ad val.*
28.17	Sodium hydroxide (caustic soda) ; potassium hydroxide (caustic potash); peroxides of sodium or potassium :	
	A. Sodium hydroxide (caustic soda)	62½% *ad val.*
	B. Other	25% *ad val.*
28.18	Oxides, hydroxides and peroxides, of strontium, barium or magnesium	25% *ad val.*

1	2	3
28.19	Zinc oxide and zinc peroxide	25% *ad val.*
28.20	Aluminium oxides and hydroxide ; artificial corundum :	
	A. Aluminium oxide and hydroxide	25% *ad val.*
	B. Artificial corundum	25% *ad val.*
28.21	Chromium oxides and hydroxides	25% *ad val.*
28.22	Manganese oxides	25% *ad val.*
28.23	Iron oxides and hydroxides ; earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3	25% *ad val.*
28.24	Cobalt oxides and hydroxides	25% *ad val.*
28.25	Titanium oxides	62½% *ad val.*
28.26	Tin oxides (stannous oxide and stannic oxide)	25% *ad val.*
28.27	Lead oxides ; red lead and orange lead	25% *ad val.*
28.28	Hydrazine and hydroxylamine and their inoraganic salts ; other inorganic bases and metallic oxides, hydroxides and peroxides	25% *ad val.*
	V. METALLIC SALTS AND PEROXYSALTS, OF INORGANIC ACIDS	
28.29	Fluorides ; fluorosilicates, fluoroborates and other complex fluorine salts	25% *ad val.*
28.30	Chlorides and oxychlorides :	
	A. Ammonium chloride	62½% *ad val.*
	B. Other	25% *ad val.*
28.31	Chlorites and hypochlorites	62½% *ad val.*
28.32	Chlorates and perchlorates	25% *ad val.*
28.33	Bromides, oxybromides, bromates and perbromates, and hypobromites	25% *ad val.*
28.34	Iodides, oxyiodides, iodates and periodates	25% *ad val.*
28.35	Sulphides ; polysulphides :	
	A. Sodium sulphide	62½% *ad val.*
	B. Other	25% *ad val.*
28.36	Dithionites, including those stabilised with organic substances ; sulphoxylates :	
	A. Sodium hydrosulphite	62½% *ad val.*
	B. Other	25% *ad val.*
28.37	Sulphites and thiosulphates	25% *ad val.*
28.38	Sulphates (including alums) and persulphates :	
	A. Alums ; aluminium sulphate ; copper sulphate ; magnesium sulphate and sodium sulphate	62½% *ad val.*
	B. Other	25% *ad val.*

1	2	3
28.39	Nitrites and nitrates :	
	A. Potassium nitrate and sodium nitrate	62½% *ad val.*
	B. Other	25% *ad val.*
28.40	Phosphites, hypophosphites and phosphates	25% *ad val.*
28.41	Arsenites and arsenates	25% *ad val.*
28.42	Carbonates and percarbonates ; commercial ammonium carbonate containing ammonium carbamate :	
	A. Sodium carbonate neutral	62½% *ad val.*
	B. Other :	
	(*i*) Sodium bicarbonate	62½% *ad val.*
	(*ii*) Other	25% *ad val.*
28.43	Cyanides and complex cyanides	25% *ad val.*
28.44	Fulminates, cyanates and thiocyanates	25% *ad val.*
28.45	Silicates ; commercial sodium and potassium silicates :	
	A. Sodium silicate	62½% *ad val.*
	B. Other	25% *ad val.*
28.46	Borates and perborates	25% *ad val.*
28.47	Salts of metallic acids (for example, chromates, permanganates, stannates) :	
	A. Sodium bichromate	62½% *ad val.*
	B. Other	25% *ad val.*
28.48	Other salts and peroxysalts of inorganic acids, but not including azides ..	25% *ad val.*
	VI. MISCELLANEOUS	
28.49	Colloidal precious metals ; amalgams of precious metals ; salts and other compounds, inorganic or organic, of precious metals, including albuminates, proteinates, tannates and similar compounds, whether or not chemically defined	25% *ad val.*
28.50	Fissile chemical elements and isotopes ; other radio-active chemical elements and radio-active isotopes ; compounds, inorganic or organic, of such elements or isotopes, whether or not chemically defined ; alloys, dispersions and cermets, containing any of these elements, isotopes or compounds	25% *ad val.*
28.51	Isotopes and their compounds, inorganic or organic, whether or not chemically defined, other than isotopes and compounds falling within heading No. 28.50	25% *ad val.*
28.52	Compounds, inorganic or organic, of thorium, of uranium depleted in U 235, of rare earth metals, of yttrium or of scandium, whether or not mixed together	25% *ad val.*
28.53	Liquid air (whether or not rare gases have been removed) ; compressed air	25% *ad val.*
28.54	Hydrogen peroxide (including solid hydrogen peroxide)	62½% *ad val.*
28.55	Phosphides	25% *ad val.*
28.56	Carbides (for example, silicon carbide, boron carbide, metal carbides) :	
	A. Calcium carbide	25% *ad val.*
	B. Other	25% *ad val.*
28.57	Hydrides, nitrides and azides, silicides and borides	25% *ad val.*
28.58	Other inorganic compounds (including distilled and conductivity water and water of similar purity) ; amalgams, except amalgams of precious metals	25% *ad val.*

CHAPTER 29

ORGANIC CHEMICALS

NOTES

1. Except where the context otherwise requires, the headings of this Chapter are to be taken to apply only to :

(a) Separate chemically defined organic compounds, whether or not containing impurities ;

(b) Mixtures of two or more isomers of the same organic compound (whether or not containing impurities), except mixtures of acyclic hydrocarbon isomers (other than stereoisomers), whether or not saturated (Chapter 27) ;

(c) The products of headings Nos. 29.38 to 29.42 inclusive, or the sugar ethers and sugar esters, and their salts, of heading No. 29.43, or the products of heading No. 29.44, whether or not chemically defined ;

(d) Products mentioned in (a), (b) or (c) above dissolved in water ;

(e) Products mentioned in (a), (b) or (c) above dissolved in other solvents provided that the solution constitutes a normal and necessary method of putting up these products adopted solely for reasons of safety or for transport and that the solvent does not render the product particularly suitable for some types of use rather than for general use ;

(f) The products mentioned in (a), (b), (c), (d) or (e) above with an added stabiliser necessary for their preservation or transport ;

(g) The products mentioned in (a), (b), (c), (d), (e) or (f) above with an added anti-dusting agent or a colouring or odoriferous substance added to facilitate their identification or for safety reasons, provided that the additions do not render the product particularly suitable for some types of use rather than for general use ;

(h) Diazonium salts, arylides used as couplers for these salts, and fast bases for azoic dyes, diluted to standard strengths.

2. This Chapter does not cover :

(a) Goods falling within heading No. 15.04 or glycerol (heading No. 15.11) ;

(b) Ethyl alcohol (heading No. 22.08 or 22.09) ;

(c) Methane and propane (heading No. 27.11) ;

(d) The compounds of carbon mentioned in Note 2 of Chapter 28 ;

(e) Urea (heading No. 31.02 or 31.05 as the case may be) ;

(f) Colouring matter of vegetable or animal origin (heading No. 32.04) ; synthetic organic dyestuffs (including pigment dyestuffs), synthetic organic products of a kind used as luminophores and products of the kind known as optical bleaching agents substantive to the fibre and natural indigo (heading No. 32.05) and dyes or other colouring matter put up in forms or packings of a kind sold by retail (heading No. 32.09) ;

(g) Metaldehyde, hexamethylenetetramine and similar substances put up in forms (for example, tablets, sticks or similar forms) for use as fuels, and liquid fuels of a kind used in mechanical lighters in containers of a capacity not exceeding 300 cm ^{3} (heading No. 36.08);

(h) Products put up as charges for fire-extinguishers or put up in fire-extinguishing grenades, of heading No. 38.17; ink removers put up in packings for sale by retail, of heading No. 38.19; or

(ij) Optical elements, for example, of ethylenediamine tartrate (heading No. 90.01).

3. Goods which could be included in two or more of the headings of this Chapter are to be classified in the latest of those headings.

4. In headings Nos. 29.03 to 29.05, 29.07 to 29.10 and 29.12 to 29.21 inclusive, any reference to halogenated, sulphonated, nitrated or nitrosated derivatives is to be taken to include a reference to any combinations of these derivatives (for example, sulphohalogenated, nitrohalogenated, nitrosulphonated and nitrosulphohalogenated derivatives).

Nitro and nitroso groups are not to be taken as nitrogen-functions for the purpose of heading No. 29.30.

5. (a) The esters of acid-function organic compounds falling within sub-Chapters I to VII with organic compounds of these sub-Chapters are to be classified with that compound which is classified in the heading placed last in the sub-Chapters.

(b) Esters of ethyl alcohol or glycerol with acid-function organic compounds of sub-Chapters I to VII are to be classified with the corresponding acid-function compounds.

(c) The salts of the esters referred to in paragraph (a) or (b) above with inorganic bases are to be classified with the corresponding esters.

(d) The salts of other acid-or phenol-function organic compounds falling within sub-Chapters I to VII with inorganic bases are to be classified with the corresponding acid-or phenol-function organic compounds.

(e) Halides of carboxylic acids are to be classified with the corresponding acids.

6. The compounds of headings Nos. 29.31 to 29.34 are organic compounds the molecules of which contain, in addition to atoms of hydrogen, oxygen or nitrogen, atoms of other non-metals or of metals (such as sulphur, arsenic, mercury or lead) directly linked to carbon atoms.

Heading No. 29.31 (organo-sulphur compounds) and heading No. 29.34 (other organo-inorganic compounds) are to be taken not to include sulphonated or halogenated derivatives (including compound derivatives) which, apart from hydrogen, oxygen and nitrogen, only have directly linked to carbon the atoms of sulphur and of halogens which give them their nature of sulphonated or halogenated derivatives (or compound derivatives).

7. Heading No. 29.35 (heterocyclic compounds) is to be taken not to include internal ethers, internal hemiacetals, methylene ethers of orthodihydric phenols epoxides with three or four member rings, cyclic acetals, cyclic polymers of aldehydes, of thioaldehydes or of aldimines, anhydrides of polybasic acids, cyclic esters of polyhydric alcohols with polybasic acids, cyclic ureides and cyclic thioureides imides of polybasic acids, hexamethylenetetramine and trimethylenetrinitramine.

Heading No.	Name of article	Rate of duty
1	2	3
	I. HYDROCARBONS AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.01	Hydrocarbons :	
	A. Styrene	25% *ad val.*
	B. Other	25% *ad val.*
29.02	Halogenated derivatives of hydrocarbons	25% *ad val.*
29.03	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons :	
	A. Mirbane oil	62½% *ad val.*
	B. Other	25% *ad val.*
	II. ALCOHOLS AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives :	
	A. Methanol (methyl alcohol)	62½% *ad val.*
	B. Other	25% *ad val.*
29.05	Cyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives :	
	A. Menthol	62½% *ad val.*
	B. Other	25% *ad val.*
	III. PHENOLS, PHENOL-ALCOHOLS, AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.06	Phenols and phenol-alcohols	25% *ad val.*
29.07	Halogenated, sulphonated, nitrated or nitrosated derivatives of phenols or phenol-alcohols	25% *ad val.*
	IV. ETHERS, ALCOHOL PEROXIDES, ETHER PEROXIDES, EPOXIDES WITH A THREE OR FOUR MEMBER RING, ACETALS AND HEMIACETALS, AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.08	Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides and ether peroxides, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.09	Epoxides, epoxyalcohols, epoxphenols and epoxyethers, with a three or four member ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.10	Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*

1	2	3
	V. ALDEHYDE—FUNCTION COMPOUNDS	
29.11	Aldehydes, aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and other single or complex oxygen-function aldehydes ; cyclic polymers of aldehydes ; paraformaldehyde	25% *ad val.*
29.12	Halogenated, sulphonated, nitrated or nitrosated derivatives of products falling within heading No. 29.11	25% *ad val.*
	VI. KETONE-FUNCTION COMPOUNDS AND QUINONE-FUNCTION COMPOUNDS	
29.13	Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, Quinone-alcohols, Quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated, nitrated or nitrosated derivatives :	
	A. Acetone and camphor	62½% *ad val.*
	B. Other	25% *ad val.*
	VII. CARBOXYLIC ACIDS, AND THEIR ANHYDRIDES, HALIDES, PEROXIDES AND PERACIDS, AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.14	Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives :	
	A. Potassium acetate and sodium acetate	62½% *ad val.*
	B. Other	25% *ad val.*
29.15	Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives :	
	A. Potassium citrate and sodium citrate	62½% *ad val.*
	B. Other	25% *ad val.*
	VIII. INORGANIC ESTERS AND THEIR SALTS, AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES.	
29.17	Sulphuric esters and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.18	Nitrous and nitric esters, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.19	Phosphoric esters and their salts, including lactophosphates, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.20	Carbonic esters and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
29.21	Other esters of mineral acids (excluding halides) and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives	25% *ad val.*
	IX. NITROGEN-FUNCTION COMPOUNDS.	
29.22	Amine-function compounds	25% *ad val.*

1	2	3
29.23	Single or complex oxygen-function amino-compounds :	
	A. 4. Aminosalicylic acid ; sodium para-aminosalicylate ; Calcium para-aminosalicylate ; Potassium aminosalicylate ; Phenyl aminosalicylate and Ethambutol Hydrochloride (N/N-Di (I-hydroxy methyl propyl) ethylene-diamine dihydrochloride)	Free.
	B. Other	25% *ad val.*
29.24	Quaternary ammonium salts and hydroxides ; lecithins and other phosphoaminolipins	25% *ad val.*
29.25	Carboxyamide-function compounds; amide-function compounds of carbonic acid :	
	A. Calcium benzamido salicylate	Free.
	B. Other	25 % *ad val.*
29.26	Carboxyamide-function compounds (including orthobenzoicsulphimide and its salts) and iminefunction compounds (including hexamethylentetramine and trimethylenetrinitramine) :	
	A. Saccharine and its salts (except in tablets falling under heading No. 21.07)	125 % *ad val.*
	B. Other :	
	(*i*) Thera Pas. (Calcium benzoyl-p-aminosalicylate) Paludrine, chloroguanide, Proguanil. (I- (p-chlorophenyl) 5-isopropylbiguanide hydrochloride)	Free.
	(*ii*) Other	25 % *ad val.*
29.27	Nitrile-function compounds	25% *ad val.*
29.28	Diazo-, azo-and azoxy-compounds	25% *ad val.*
29.29	Organic derivatives of hydrazine or of hydroxylamine	25% *ad val.*
29.30	Compounds with other nitrogen-functions	25% *ad val.*
	X. ORGANO-INORGANIC COMPOUNDS AND HETEROCYCLIC COMPOUNDS.	
29.31	Organo-sulphur compounds :	
	A. Thiacetazone ; Isoxyl (4-4 Diisoamyloxy-thiocarbanilide) and Thiocarlide (NN-Di (p-isopentyloxyphenyl) thiourea	Free.
	B. Allylisothiocyanate	62-1/2% *ad val.*
	C. Other	25% *ad val.*
29.32	Organo-arsenic compounds :	
	A. Thiosemicarbazone, Tibione (para-acetylaminobenzaldehyde thiosemicarbazone)	Free.
	B. Other	25% *ad val.*
29.33	Organo-mercury compounds	25% *ad val.*
29.34	Other organo-inorganic compounds	25% *ad val.*
29.35	Heterocyclic compounds ; nucleic acids :	
	A. Heterocyclic compounds :	
	(*i*) Amodiaquine, Camoquine, (7-chloro-4-(3'-diethylaminomethyl-4-hydroxyaniline) quinoline dihydrochloride dihydrate)	Free.
	(*ii*) Daraprim, Pyrimethamine. (2 ; 4-Diamino-5-p-chlorophenyl-6-ethylpyrimidine)	Free.
	(*iii*) Mepacrine, Atebrine, Quinacrine, (3-chloro-7-methoxy-9- (1-methyl-4-diethylamino butylamino) acridine dihydrochloride)	Free.

1	2	3
	(*iv*) Aralen, Chloroquine Sulphate, (7-Chloro-4- (4-diethylamino-I-methylbutilamino quinoline sulphate)	Free.
	(*v*) Oxychloroquin, (7-Chloro-4- (3-diethylamino-3-hydroxypropylamino (quinoline)	Free.
	(*vi*) Primaquine phosphate. (8-(4-amino-I-methylbutylamino-(6-methoxyquinoline phosphate)	Free.
	(*vii*) Resochine, Chloroquine phosphate (7-Chloro-4-(4-diethylamino-I-methylbutyl amino quinoline diphosphate) ..	Free.
	(*viii*) Pamaquine (8-(4-diethylamino-I-methylbutylamino)-6-methoxy quinoline)	Free.
	(*ix*) Pentaquine (SN-13276). (6-methoxy-8 (-5-isopropylamylamino quinoline)	Free.
	(*x*) Isoniazid (isonicotinic acid hydrazide)	Free.
	(*xi*) Pyrazinamide	Free.
	(*xii*) Ethionamide	Free.
	(*xiii*) Isoniazid aminosalicylate	Free.
	(*xiv*) Phthivasid (4-hydroxy-3-methoxybenzaldehyde pyrdine-4-carbonyl hydrazone monohydrate)	Free.
	(*xv*) Salinazid (O-Hydroxybenzal isonicotinyl Hydrazone) ..	Free.
	B. Other	25% *ad val.*
29.36	Sulphonamides	25% *ad val.*
29.37	Sultones and sultams	25% *ad val.*
	XI. PROVITAMINS, VITAMINS, HORMONES AND ENZYMES, NATURAL OR REPRODUCED BY SYNTHESIS.	
29.38	Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent ..	25% *ad val.*
29.39	Hormones, natural or reproduced by synthesis thin ; derivatives thereof, used primarily as hormones; other steroids used primarily as harmones	25% *ad val.*
29.40	Enzymes	25% *ad val.*
	XII. GLYCOSIDES AND VEGETABLE ALKALOIDS, NATURAL OR REPRODUCED BY SYNTHESIS, AND THEIR SALTS, ETHERS, ESTERS AND OTHER DERIVATIVES.	
29.41	Glyecosides, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives	25% *ad val.*
29.42	Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives :	
	A. Alkaloids extracted from cinchona bark including Quinine and alkaloids derived from other sources which are chemically identical with alkaloids extracted from cinchona bark ; derivatives of Quinine	Free.
	B. Ephedrine, its derivatives and caffeine citrate	62-1/2% *ad val.*
	C. Other	25% *ad val.*
	XIII. OTHER ORGANIC COMPOUNDS.	
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose ; rugar ethers and sugar esters, and their salts, other than products of headings Nos. 29.39, 29.41 and 29.42	25% *ad val.*
29.44	Antibiotics	25% *ad val.*
29.45	Other organic compounds	25% *ad val.*

CHAPTER 30

PHARMACEUTICAL PRODUCTS

NOTES

1. For the purposes of heading No. 30.03, " Medicaments " means goods (other than foods or beverages such as dietetic, diabetic or fortified foods, tonic beverages, spa waters) not falling within heading No. 30.02 or 30.04 which are either :

(a) Products comprising two or more constituents which have been mixed or compounded together for therapeutic or prophylactic uses ; or

(b) Unmixed products suitable for such uses put up in measured doses or in forms or in packings of a kind sold by retail for therapeutic or prophylactic purposes.

For the purposes of these provisions and of Note 3 (d) to this Chapter, the following are to be treated :

A. As unmixed products :

(1) Unmixed products dissolved in water ;

(2) All goods falling in Chapter 28 or 29 ; and

(3) Simple vegetable extracts falling in heading No. 13.03, merely standardised or dissolved in any solvent ;

B. As products which have been mixed :

(1) Colloidal solutions and suspensions (other than colloidal sulphur) ;

(2) Vegetable extracts obtained by the treatment of mixtures of vegetable materials ; and

(3) Salts and concentrates obtained by evaporating natural mineral waters.

2. The headings of this Chapter are to be taken not to apply to :

(a) Aqueous distillates and aqueous solutions of essential oils, suitable for medicinal uses (heading No. 33.05) ;

(b) Dentifrices of all kinds, including those having therapeutic or prophylatic properties, which are to be considered as falling within heading No. 33.06 ; or

(c) Soap or other products of heading No. 34.01 containing added medicaments.

3. Heading No. 30.05 is to be taken to apply, and to apply only, to :

(a) Sterile surgical catgut and similar sterile suture materials ;

(b) Sterile laminaria and Sterile laminaria tents ;

(c) Sterile absorbable surgical haemostatics ;

(d) Opacifying preparations for X-ray examinations and diagnostic reagents (excluding those of heading No. 30.02) designed to be administered to the patient, being unmixed products put up in measured doses or products consisting of two or more products which have been mixed or compounded together for such uses ;

(e) Blood-grouping reagents ;

(f) Dental cements and other dental fillings ; and

(g) First-aid boxes and kits.

Heading No.	Name of article	Rate of duty
1	2	3
30.01	Organo-therapeutic glands or other organs, dried, whether or not powdered ; organo-therapeutic-extracts of glands or other organs or of their secretions ; other animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included	Free.
30.02	Antisera ; Microbial vaccines, toxins, microbial cultures (including ferments but excluding yeasts) and similar products	Free.
30.03	Medicaments (including veterinary medicaments)	Free.
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter ..	37-1/2% *ad val.*
30.05	Other pharmaceutical goods :	
	A. Opacifying preparations for X-ray examination and diagnostic reagents	Free.
	B. Sterile surgical catgut and similar sterile suture materials ..	25% *ad val.*
	C. Other	37½% *ad val.*

CHAPTER 31

FERTILISERS

NOTES

1. Heading No. 31.02 is to be taken to apply, and to apply only, to the following goods, provided that they are not put up in the forms or packings described in heading No. 31.05 :

(A) Goods which answer to one or other of the descriptions given below :

(i) Sodium nitrate containing not more than 16.3% by weight of nitrogen ;

(ii) Ammonium nitrate, whether or not pure ;

(iii) Ammonium sulphonitrate, whether or not pure ;

(iv) Ammonium sulphate, whether or not pure ;

(v) Calcium nitrate containing not more than 16% by weight of nitrogen ;

(vi) Calcium nitrate-magnesium nitrate, whether or not pure ;

(vii) Calcium cyanamide containing not more than 25% by weight of nitrogen, whether or not treated with oil ;

(viii) Urea, whether or not pure.

(B) Fertilisers consisting of any of the goods described in (A) above, but without quantitative criteria, mixed together.

(C) Fertilisers consisting of any of ammonium chloride or of any of the goods described in (A) or (B) above, but without quantitative criteria, mixed with chalk, gypsum or other inorganic non-fertilising substances.

(D) Liquid fertilisers consisting of the goods of sub-paragraphs I (A) (ii) or (viii) above, or of mixtures of those goods, in an aqueous or liquid ammonia solution.

2. Heading No. 31.03 is to be taken to apply, and to apply only, to the following goods, provided that they are not put up in the forms or packings described in heading No. 31.05 :

(A) Goods which answer to one or other of the descriptions given below :

(i) Basic slag ;

(ii) Disintegrated (calcined) calcium phosphates (thermo-phosphates and fused phosphates) and calcined natural aluminium calcium phosphates ;

(iii) Superphosphates (single, double or triple) ;

(iv) Calcium hydrogen phosphate containing not less than 0.2% by weight of fluorine.

(B) Fertilisers consisting of any of the goods described in (A) above, but without quantitative criteria, mixed together.

(C) Fertilisers consisting of any of the goods described in (A) or (B) above, but without quantitative criteria, mixed with chalk, gypsum or other inorganic non-fertilising substances.

3. Heading No. 31.04 is to be taken to apply, and to apply only, to the following goods, provided that they are not put up in the forms or packings described in heading No. 31.05 :

(A) Goods which answer to one or other of the descriptions given below :

(i) Crude natural potassium salts (for example, carnallite, kainite and sylvinite) ;

(ii) Crude potassium salts obtained by the treatment of residues of beet molasses ;

(iii) Potassium chloride, whether or not pure, except as provided in Note 6 (c) below;

(iv) Potassium sulphate containing not more than 52% by weight of K_2O.

(v) Magnesium sulphate-potassium sulphate containing not more than 30% by weight of K_2O.

B. Fertilisers consisting of any of the goods described in (A) above, but without quantitative criteria, mixed together.

4. Monoammonium and diammonium orthophosphates, whether or not pure, and mixtures thereof, are to be classified in heading No. 31.05.

5. For the purposes of the quantitative criteria specified in Notes 1 (A), 2 (A), and 3 (A) above, the calculation is to be made on the dry anhydrous product.

6. This Chapter does not cover:

(a) Animal blood of heading No. 05.15;

(b) Separate chemically defined compounds [other than those answering to the descriptions in Note 1 (A), 2 (A), 3 (A) or 4 above]; or

(c) Cultured potassium chloride crystals, (other than optical elements) weighing not less than 2.5g each, of heading No. 38.19; optical elements of potassium chloride (heading No. 90.01).

Heading No.	Name of article	Rate of duty
1	2	3
31.01	Guano and other natural animal or vegetable fertilisers, whether or not mixed together, but not chemically treated	Free
31.02	Mineral or chemical fertilisers, nitrogenous :	
	A. Sodium nitrate, natural	Free
	B. Other	Free
31.03	Mineral or chemical fertilisers, phosphatic :	
	A. Basic slag	Free
	B. Other	Free
31.04	Mineral or chemical fertilisers, potassic :	
	A. Potassium salts, crude natural	Free
	B. Other	Free
31.05	Other fertilisers ; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg.	Free

CHAPTER 32

TANNING AND DYEING EXTRACTS ; TANNINS AND THEIR DERIVATIVES ; DYES, COLOURS, PAINTS AND VARNISHES ; PUTTY, FILLERS AND STOPPINGS ; INKS

NOTES

1. This Chapter does not cover :

(a) Separate chemically defined elements and compounds (except those falling within heading No. 32.04 or 32.05, inorganic products of a kind used as luminophores (heading No. 32.07), and also dyes or other colouring matter in forms or packings of a kind sold by retail falling within heading No. 32.09 ; or

(b) Tannates and other tanning derivatives of products falling within headings Nos. 29.38 to 29.42, 29.44 or 35.01 to 35.04.

2. Heading No. 32.05 is to be taken to include mixtures of stabilised diazonium salts and coupling compounds for the production of insoluble azoic dyestuffs on the fibre.

3. Headings Nos. 32.05, 32.06 and 32.07 are to be taken to apply also to preparations based on, respectively, synthetic organic dyestuffs (including pigment dyestuffs), colour lakes and other colouring matter, of a kind used for colouring in the mass artificial plastics, rubber or similar materials or as ingredients in preparations for printing textiles. The headings are not to be applied however, to prepared pigments falling within heading No. 32.09.

4. Heading No. 32.09 is to be taken to include solutions (other than collodions) consisting of any of the products specified in headings Nos. 39.01 to 39.06 in volatile organic solvents if, and only if, the weight of the solvent exceeds 50% of the weight of the solution.

5. The expression " colouring matter " in this Chapter does not include products of a kind used as extenders in oil paints, whether or not they are also suitable for colouring distempers.

6. The expression " stamping foils " in heading No. 32.09 is to be taken to apply only to products of a kind used for printing, for example, book covers or hat bands, and consisting of :

(a) Thin sheets composed of metallic powder (including powder of precious metal), or pigment, agglomerated with glue, gelatin, or other binder ; or

(b) Metal (for example, gold or aluminium) or pigment, deposited on paper, artificial plastic material or other support.

Heading No.	Name of article	Rate of duty
1	2	3
32.01	Tanning extracts of vegetable origin :	
	A. Cutch and Gambier	75% *ad val.*
	B. Other	12½% *ad val.*

1	2	3
32.02	Tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives	25% *ad val.*
32.03	Synthetic organic tanning substances, and inorganic tanning substances; tanning preparations, whether or not containing natural tanning materials; enzymatic preparations for pretanning (for example, of enzymatic, pancreatic or bacterial origin)	12½% *ad val.*
32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin:	
	A. Food colours	50% *ad val.*
	B. Other	25% *ad val.*
32.05	Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre; natural indigo:	
	A. Food colours	50% *ad val.*
	B. Other	25% *ad val.*
32.06	Colour lakes	62½% *ad val.*
32.07	Other colouring matter; inorganic products of a kind used as luminophores	62½% *ad val.*
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes	62½% *ad val.*
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail:	
	A. Distempers; nitrocellulose paints	92½% *ad val.*
	B. Other:	
	(*i*) Approved aircraft paint in packings of not less than 5 gallons, imported by PIA, flying clubs and Government Departments	25% *ad val.*
	(*ii*) Prepared water pigments of the kind used for finishing leather.	62½% *ad val.*
	(*iii*) Food colours	117½% *ad val.*
	(*iv*) Stamping foils	62½% *ad val.*
	(*v*) Other	92½% *ad val.*
32.10	Artists', students' and signboard painters' colours, modifying tints, amusement colours and the like, in tablets, tubes, jars, bottles, pans, or in similar forms or packings, including such colours in sets or outfits, with or without brushes, palettes or other accessories:	
	A. Students' colour boxes	25% *ad val.*
	B. Other	62½% *ad val.*
32.11	Prepared driers	62½% *ad val.*
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refactory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements:	
	A. Adhesive cements for use exclusively on aircraft	25% *ad val.*
	B. Other	62½% *ad val.*
32.13	Writing ink, printing ink and other inks:	
	A. Printing ink	25% *ad val.*
	B. Other	25% *ad val.*

CHAPTER 33

ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETICS AND TOILET PREPARATIONS

NOTES

1. This Chapter does not cover:

   (a) Compound alcoholic preparations (known as "concentrated extracts"), for the manufacture of beverages, of heading No. 22.09;

   (b) Soap and other products falling within heading No. 34.01; or

   (c) Spirits of turpentine or other products falling within heading No. 38.07.

2. Heading No. 33.06 is to be taken to apply, *inter alia,* to:

   (a) Prepared room deodorisers, whether or not perfumed;

   (b) Products, whether or not mixed (other than those of heading No. 33.05), suitable for use as perfumery, cosmetics or toilet preparations or as room deodorisers, put up in packings of a kind sold by retail for such use.

Heading No.	Name of article	Rate of duty
1	2	3
33.01	Essential oils (terpeneless or not); concretes and absolutes; resinoids	87½% *ad val.*
33.02	Terpenic by-products of the deterpenation of essential oils	87½% *ad val.*
33.03	Concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration	87½% *ad val.*
33.04	Mixtures of two or more odoriferous substances (natural or artificial) and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in the perfumery, food, drink or other industries	87½% *ad val.*
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	62½% *ad val.*
33.06	Perfumery, cosmetics and toilet preparations:	
	A. Talcum powder and tooth paste	62½% *ad val.*
	B. Other	125% *ad val.*

CHAPTER 34

SOAP, ORGANIC SURFACE-ACTIVE AGENTS, WASHING PREPARATIONS LUBRICATING PREPARATIONS, ARTIFICAL WAXES, PREPARED WAXES, POLISHING AND SCOURING PREPARATIONS, CANDLES AND SIMILAR ARTICLES, MODELLING PASTES AND "DENTAL WAXES"

NOTES

1. This Chapter does not cover:

   (a) Separate chemically defined compounds; or

   (b) Dentifrices, shaving creams or shampoos containing soap or organic surface-active agents (heading No. 33.06).

2. For the purposes of heading No. 34.01, the expression "soap" is to be taken to apply only to soap soluble in water. Soap and the other products falling within heading No. 34.01 may contain added substances (for example, disinfectants, abrasive powders, fillers or medicaments). Products containing abrasive powders remain classified in heading No. 34.01 only if in the form of bars, cakes or moulded pieces or shapes. In other forms they are to be classified in heading No. 34.05 as "scouring powders and similar preparations".

3. The reference in heading No. 34.03 to petroleum oils and oils obtained from bituminous minerals is to be taken to apply to the products defined in Note 3 of Chapter 27.

4. In heading No. 34.04 the expression "prepared waxes, not emulsified or containing solvents" is to be taken to apply only to:

(A) Mixtures of animal waxes, mixtures of vegetable waxes or mixtures of artificial waxes;

(B) Mixtures of different classes of waxes (animal, vegetable, mineral or artificial); and

(C) Mixtures of waxy consistency not emulsified or containing solvents, with a basis of one or more waxes, and containing fats, resins, mineral substances or other materials.

The heading is to be taken not to apply to:

(a) Waxes falling within heading No. 27.13; or

(b) Separate animal waxes and separate vegetable waxes, merely coloured.

Heading No.	Name of article	Rate of duty
1	2	3
34.01	Soap; organic surface-active products and preparations for use as soap, in the form of bars, cakes or moulded pieces or shapes, whether or not combined with soap	125% *ad val.*
34.02	Organic surface-active agents; surface-active preparations and washing preparations, whether or not containing soap:	
	A. Organic surface-active agents	25% *ad val.*
	B. Other	75% *ad val.*
34.03	Lubricating preparations, and preparations of a kind used for oil or grease treatment of textiles, leather or other materials, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals	25% *ad val.*
34.04	Artificial waxes (including water-soluble waxes); prepared waxes, not emulsified or containing solvents.	62½% *ad val.*
34.05	Polishes and creams, for footwear, furniture or floors, metal polishes, scouring powders and similar preparations, but excluding prepared waxes falling within heading No. 34.04:	
	A. Valve grinding paste	37½% *ad val.*
	B. Polishes and other preparations used in the finishing (including electroplating) of metal articles.	62½% *ad val.*
	C. Other	125% *ad val.*

1	2	3
34.06	Candles, tapers, night-lights and the like	125% *ad val.*
34.07	Modelling pastes (including those put up for children's amusement and assorted modelling pastes) ; preparations of a kind known as "dental wax" or as "dental impression compounds", in plates, horseshoe shapes, sticks and similar forms	62½% *ad val.*

CHAPTER 35

ALBUMINOIDAL SUBSTANCES : GLUES

NOTES

1. This Chapter does not cover :

(a) Protein substances put up as medicaments (heading No. 30.03) ; or

(b) Gelatin postcards and other products of the printing industry (Chapter 49).

2. For the purposes of heading No. 35.05, the term "dextrins" is to be taken to apply to starch degradation products with a reducing sugar content, expressed as dextrose on the dry substance, not exceeding 10%.

Such products with a reducing sugar content exceeding 10% fall in heading No. 17.02.

Heading No.	Name of article	Rate of duty
1	2	3
35.01	Casein, caseinates and other casein derivatives; casein glues	37½% *ad val.*
35.02	Albumins, albuminates and other albumin derivatives	37½% *ad val.*
35.03	Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives ; glues derived from bones, hides, nerves, tendons or from similar products, and fish glues ; isinglass	37½% *ad val.*
35.04	Peptones and other protein substances and their derivatives ; hide powder, whether or not chromed	37½% *ad val.*
35.05	Dextrins and dextrin glues ; soluble or roasted starches ; starch glues	62½% *ad val*
35.06	Prepared glues not elsewhere specified or included ; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg.	62½% *ad val.*

CHAPTER 36

EXPLOSIVES; PYROTECHNIC PRODUCTS; MATCHES; PYROPHORIC ALLOYS; CERTAIN COMBUSTIBLE PREPARATIONS

NOTES

1. This Chapter does not cover separate chemically defined compounds other than those described in Note 2 (a) or (b) below.

2. Heading No. 36.08 is to be taken to apply only to:

(a) Metaldehyde, hexamethylenetetramine and similar substances, put up in forms (for example, tablets, sticks or similar forms) for use as fuels; fuels with a basis of alcohol, and similar prepared fuels, in solid or semi-solid form;

(b) Liquid fuels (for example, petrol) of a kind used in mechanical lighters, in containers of a capacity not exceeding 300 cm^3 ; and

(c) Resin tourches, fire-lighters and the like.

Heading No.	Name of article	Rate of duty
1	2	3
36.01	Propellent powders:	
	A. Propellent powders for mining purposes	25% *ad val.*
	B. Other	50% *ad val.*
36.02	Prepared explosives, other than propellent powders	25% *ad val.*
36.03	Mining, blasting and safety fuses	25% *ad val.*
36.04	Percussion and detonating caps: igniters; detonators:	
	A. Percussion caps for cartridges	92½% *ad val.*
	B. Other	50% *ad val.*
36.05	Pyrotechnic articles (for example, fireworks, railway fog signals, amorces, rain rockets):	
	A. Fireworks specially prepared as danger or distress lights for the use of ships or for the use of aircraft; railway fog signals ..	25% *ad val.*
	B. Other	92½% *ad val.*
36.06	Matches (excluding Bengal matches)	Rs. 1.60 per 1,440 matches or fraction thereof
36.07	Ferro-cerium and other pyrophoric alloys in all forms:	
	A. Flints, lighter	92½% *ad val.*
	B. Other	50% *ad val.*
36.08	Other combustible preparations and products:	
	A. Fuel, liquid for mechanical lighters	92½% *ad val.*
	B. Other	50% *ad val.*

CHAPTER 37

PHOTOGRAPHIC AND CINEMATOGRAPHIC GOODS

NOTES

1. This Chapter does not cover waste or scrap materials.

2. Heading No. 37.08 is to be taken to apply only to:

(a) Chemical products mixed or compounded for photographic uses (for example, sensitised emulsions, developers and fixers); and

(b) Unmixed substances suitable for such uses and put up in measured portions or put up for sale by retail in a form ready for use.

The heading does not apply to photographic pastes or gums, varnishes or similar products.

Heading No.	Name of article	Rate of duty
1	2	3
37.01	Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or cloth:	
	A. X-ray plates and film	Free
	B. Other	62½% *ad val.*
37.02	Film in rolls, sensitised, unexposed, perforated or not:	
	A. Cinematograph film	5 paisa per linear foot.
	B. X-ray film	Free
	C. Other	62½ %*ad val.*
37.03	Sensitised paper, paperboard and cloth, unexposed or exposed but not developed	62½% *ad val.*
37.04	Sensitised plates and film, exposed but not developed, negative or positive:	
	A. Cinematograph film	17½ paisa per linear foot.
	B. Other	92½% *ad val.*
37.05	Plates, unperforated film and perforated film (other than cinematograph film), exposed and developed, negative or positive:	
	A. Aerial survey film depicting only topographical feature of a kind suitable for use in making maps or charts; microfilm, being film for optical projection, consisting wholly of microphotographs of books, publications or other documents, other than trade advertising material	Free
	B. Other	92½% *ad val.*
37.06	Cinematograph film, exposed and developed, consisting only of sound track, negative or positive	17½ paisa per linear foot.

1	2	3
37.07	Other cinematograph film, exposed and developed, whether or not incorporating sound track, negative or positive :	
	A. Educational and instructional film	Free.
	B. Cinematograph film exposed and developed, whether or not incorporating sound track, negative or positive, other than educational or instructional film	25 paisa per linear foot.
	C. Other	40 paisa per linear foot.
37.08	Chemical products and flash light materials, of a kind and in a form suitable for use in photography	25% *ad val.*

CHAPTER 38

MISCELLANEOUS CHEMICALS PRODUCTS

NOTES

1. This Chapter does not cover :

(a) Separate chemically defined elements or compounds with the exception of the following :

(1) Artificial graphite (heading No. 38.01) ;

(2) Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products put up as described in heading No. 38.11 ;

(3) Products put up as charges for fire-extinguishers or put up in fire-extinguishing grenades (heading No. 38.17) ;

(4) Products specified in Note 2 (a), 2 (c), 2 (d) or 2 (f) below.

(b) Mixtures of chemicals and foodstuffs of a kind used in the preparation of human foodstuffs (generally, heading No. 21.07).

(c) Medicaments (heading No. 30.03).

2. Heading No. 38.19 is to be taken to include the following goods which are to be taken not to fall within any other heading of the Nomenclature :

(a) Cultured crystals (other than optical elements) weighing not less than 2.5 g each, of magnesium oxide or of the halides of the alkali or of the alkaline-earth metals ;

(b) Fusel oil ;

(c) Ink removers put up in packings for sale by retail ;

(d) Stencil correctors put up in packings for sale by retail ;

(e) Ceramic firing testers, fusible (for example, Seger cones) ;

(f) Plasters specially prepared for use in dentistry ; and

(g) Chemical elements of Chapter 28 (for example, silicon and selenium) doped for use in electronics, in the form of discs, wafers or similar forms, polished or not, whether or not coated with a uniform epitaxial layer.

Heading No.	Name of article	Rate of duty
1	2	3
38.01	Artificial graphite ; colloidal graphite, other than suspensions in oil ..	25% *ad val.*
38.02	Animal black (for example, bone black and ivory black), including spent animal black	25% *ad val.*
38.03	Activated carbon (decolourising, depolarising or absorbent) ; activated diatomite, activated clay, activated bauxite and other activated natural mineral products	25% *ad val.*
38.04	Ammoniacal gas liquors and spent oxide produced in coa gas purification	25% *ad val.*
38.05	Tall oil	25% *ad val.*
38.06	Concentrated sulphite lye	25% *ad val.*
38.07	Spirits of turpentine (gum, wood and sulphate) and other terpenic solvents produced by the distillation or other treatment of coniferous woods ; crude dipentene ; sulphite turpentine ; pine oil (excluding " pine oils " not rich in terpineol)	25% *ad val.*
38.08	Rosin and resin acids, and derivatives thereof other than ester gums included in heading No. 39.05 ; rosin spirit and rosin oils	25% *ad val.*
38.09	Wood tar ; wood tar oils (other than the composite solvents and thinners falling within heading No. 38.18) ; wood creosote ; wood naphtha ; acetone oil	25% *ad val.*
38.10	Vegetable pitch of all kinds ; brewers' pitch and similar compounds based on rosin or on vegetable pitch ; foundary core binders based on natural resinous products	25% *ad val.*
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers) :	
	A. Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example sulphur-treated bands, wicks, candles, fly-papers) excluding mosquito coils	Free.
	B. Mosquito coils	50% *ad val.*
	C. Other	92½% *ad val.*
38.12	Prepared glazings, prepared dressing and prepared mordants, of a kind used in the textile, paper, leather or like industries	25% *ad val.*
38.13	Pickling preparations for metal surfaces ; fluxes and other auxiliary preparations for soldering, brazing or welding ; soldering, brazing or welding powders and pastes consisting of metal and other materials ; preparations of a kind used as cores or coatings for welding rods and electrodes	25% *ad val.*
38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils	25% *ad val.*
38.15	Prepared rubber accelerators	25% *ad val.*

1	2	3
38.16	Prepared culture media for development of micro-organisms	Free.
38.17	Preparations and changes for fire-extinguishers ; charged fire-extinguishing grenades	25% *ad val.*
38.18	Composite solvents and thinners for varnishes and similar products	25% *ad val.*
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included ; residual products of the chemical or allied industries, not elsewhere specified or included :	
	A. Refractory cements or mortars	25% *ad val.*
	B. Ink removers and stencil correctors	50% *ad val.*
	C. Other	25% *ad val.*

SECTION VII

ARTIFICIAL RESINS AND PLASTIC MATERIALS, CELLULOSE ESTERS AND ETHERS, AND ARTICLES THEREOF ; RUBBER, SYNTHETIC RUBBER, FACTICE, AND ARTICLES THEREOF

CHAPTER 39

ARTIFICIAL RESINS AND PLASTIC MATERIALS, CELLULOSE ESTERS AND ETHERS ; AND ARTICLES THEREOF

NOTES

1. This Chapter does not cover :

(a) Stamping foils of heading No. 32.09 ;

(b) Artificial waxes (heading No. 34.04) ;

(c) Synthetic rubber, as defined for the purposes of Chapter 40, or articles thereof ;

(d) Saddlery or harness (heading No. 42.01) or travel goods, handbags or other receptacles falling within heading No. 42.02 ;

(e) Plaits, wickerwork or other articles falling within Chapter 46 ;

(f) Goods falling within Section XI (textiles and textile articles) ;

(g) Footwear, headgear, umbrellas, sunshades, walking-sticks, whips, riding-crops, fans or parts thereof or other articles falling within Section XII ;

(h) Imitation jewellery falling within heading No. 71.16 ;

(ij) Articles falling within Section XVI (machines and mechanical or electrical appliances) ;

(k) Parts of aircraft or vehicles falling within Section XVII ;

(l) Optical elements of artificial plastics, spectacle frames, drawing instruments or other articles falling within Chapter 90 ;

(m) Articles falling within Chapter 91 (for example, clock or watch cases) ;

(n) Musical instruments or parts thereof or other articles falling within Chapter 92 ;

(o) Furniture and other articles of Chapter 94 ;

(p) Brushes or other articles falling within Chapter 96 ;

(q) Articles falling within Chapter 97 (for example, toys, games and sports requisites) ; or

(r) Buttons, slide fasteners, combs, mouthpieces or stems for smoking pipes, cigarette-holders or the like, parts of vacuum flasks or the like, pens, propelling pencils or other articles falling within Chapter 98.

2. Headings Nos. 39.01 and 39.02 are to be taken to apply only to goods of a kind produced by chemical synthesis answering to one of the following descriptions :

(a) Artificial plastics including artificial resins ;

(b) Silicones ;

(c) Resols, liquid polyisobutylene, and similar artificial polycondensation or polymerisation products.

3. Headings Nos. 39.01 to 39.06 are to be taken to apply to materials in the following forms only :

(a) Liquid or pasty (including emulsions, dispersions and solutions) ;

(b) Blocks, lumps, powders (including moulding powders), granules, flakes and similar bulk forms ;

(c) Monofil of which any cross-sectional dimension exceeds 1 mm ; seamless tubes, rods, sticks and profile shapes, whether or not surface-worked but not otherwise worked ;

(d) Plates, sheets, film, foil and strip (other than that classified in heading No. 51.02 by the application of Note 4 to Chapter 51), whether or not printed or otherwise surface-worked, uncut or cut into rectangles but not further worked (even if, when so cut, they become articles ready for use) ;

(e) Waste and scrap.

Heading No.	Name of article	Rate of duty
1	2	3
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerised, and whether or not linear (for example, pheno-plasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones) :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms.	50% *ad val.*
	B. " Lurex " and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm, consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	92½% *ad val.*
	C. Synthetic Bond (*e.g.*, ' Durite '), a phenol formaldehyde resin, in liquid or powder form, containing minute quantities of hexamethylenetetramine	25% *ad val.*
	D. Nylon monofilament of a diameter exceeding 1 mm, but not exceeding 1.4 mm	25% *ad val.*

1	2	3
	E. Poly hexamethyleneadipine amide ; polymer of hexamethylene diamine and sebacic acids, polyamide of hexamethylene diamine adipate ; polymer of caprolactam ; superpolyamide of 1.1-amino.	25% *ad val.*
	F. Other	62½% *ad val.*
39.02	Polymerisation and copolymerisation products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, Conmarone-indene resins) :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms :	
	(*i*) Polyethylene resins of low density within the range of 0.915—0.929 g/m at 23°c	92½% *ad val.* or Rs. 1.55 per lb. whichever is higher.
	(*ii*) Polyvinyl chloride and its compounds	92½% *ad val.*
	(*iii*) Other	50% *ad val.*
	B. "Lurex" and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm, consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	92½% *ad val.*
	C. Other :	
	(*i*) Polyvinyl chloride and its compounds	92½% *ad val.*
	(*ii*) Other	62½% *ad val.*
39.03	Regenerated cellulose ; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticised or not (for example, collodions, celluloid) ; vulcanised fibre :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms.	50% *ad val.*
	B. "Lurex" and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm, consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	92½% *ad val.*
	C. Other :	
	(*i*) Transparent wrapping of regenerated cellulose (Cellophane), of cellulose acetate or of other materials falling under heading No. 39.03	75% *ad val.*
	(*ii*) Other	62½% *ad val.*
39.04	Hardened proteins (for example, hardened casein and hardened gelatin) :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms.	50% *ad val.*
	B. "Lurex" and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides ..	92½% *ad val.*
	C. Other	62½% *ad val.*

1	2	3
39.05	Natural resins modified by fusion (run gums); artificial resins obtained by esterification of natural resins or of resinc acids (ester gums) ; chemical derivatives of natural rubber (for example, chlorinated rubber, rubber hydrochloride, oxidised rubber, cyclised rubber) :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms :	
	(*i*) Polyvinyl chloride and its compounds	92½% *ad val.*
	(*ii*) Other	50% *ad val.*
	B. "Lurex" and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm, consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	92½% *ad val.*
	C. Other :	
	(*i*) Polyvinyl chloride and its compounds	92½% *ad val.*
	(*ii*) Other	62½% *ad val.*
39.06	Other high polymers, artificial resins and artificial plastic materials, including alginic acid, its salts and esters ; linoxyn :	
	A. Blocks, lumps, powders, granules, flakes and similar other forms :	
	(*i*) Polyvinyl cholride and its compounds	92½% *ad val.*
	(*ii*) Other	50% *ad val.*
	B. "Lurex" and similar products in the form of sheets, strip, film or foil, of a width exceeding 5 mm, consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	92½% *ad val.*
	C. Other :	
	(*i*) Polyvinyl cholride and its compounds	92½% *ad val.*
	(*ii*) Other	62½% *ad val.*
9.07	Articles of materials of the kinds described in headings Nos. 39.01 to 39.06 :	
	A. Plastic coils (contraceptives) and accessories thereof	Free.
	B. Bobbins, cones, cops, cores, spools and similar supports of a kind used in textile machinery	25% *ad val.*
	C. Gloves, surgical ; scientific instruments and parts and accessories thereof	62½% *ad val.*
	D. For automotive vehicles	117½% *ad val.*
	E. Other	92½% *ad val.*

CHAPTER 40

RUBBER, SYNTHETIC RUBBER, FACTICE, AND ARTICLES THEREOF

NOTES

1. Except where the context otherwise requires, throughout this Nomenclature the expression "rubber" means the following products, whether or not vulcanised or hardened ; natural rubber, balata, gutta percha and similar natural gums, synthetic rubbers and factice derived from oils, and such substances reclaimed.

2. This chapter does not cover the following products of rubber and textiles, which fall generally within Section XI:

(a) Knitted or crocheted fabric or articles thereof, elastic or rubberised (other than transmission, conveyor and elevator belts or belting, of rubberised knitted or crocheted fabric, of heading No. 40.10); other elastic fabric or articles thereof;

(b) Textile hosepiping and similar textile tubing, internally coated or lined with rubber (heading No. 59.15);

(c) Woven textile fabrics (other than the goods of heading No. 40.10) impregnated, coated, covered or laminated with rubber;

(i) Weighing not more than 1,500 g|m ^{2} ; or

(ii) Weighing more than 1,500 g|m ^{2} and containing more than 50% by weight of textile material; and articles of these fabrics;

(d) Felt impregnated or coated with rubber and containing more than 50% by weight of textile material, and articles thereof;

(e) Bonded fibre fabrics and similar bonded yarn fabrics, impregnated or coated with rubber, or in which rubber forms the bonding substance, irrespective of their weight per square metre, and articles thereof;

(f) Fabrics composed of parallel textile yarns, agglomerated with rubber, irrespective of their weight per square metre, and articles thereof.

However, plates, sheets and strip, of expanded, foam or sponge rubber, combined, with textile fabric, and articles thereof, are to be classified in Chapter 40 provided that the textile fabric is present merely for reinforcing purposes.

3. The following are also not covered by this Chapter:

(a) Footwear or parts thereof falling within Chapter 64;

(b) Headgear or parts thereof (including bathing caps) falling within Chapter 65;

(c) Mechanical or electrical appliances or parts thereof (including electrical goods of all kinds), of hardened rubber, falling within Section XVI;

(d) Articles falling within Chapter 90, 92, 94 or 96;

(e) Articles falling within Chapter 97 (other than sports gloves and goods falling within heading No. 40.11); or

(f) Buttons, combs, smoking pipe stems, pens or other articles falling within Chapter 98.

4. In note I to this Chapter and in headings Nos. 40.02, 40.05 and 40.06, the expression "synthetic rubber" is to be taken to apply to:

(a) Unsaturated synthetic substances which can be irreversibly transformed into non-thermoplastic substances by vulcanisation with sulphur and which, when so vulcanised as well as may be (without the addition of any substances such as plasticisers, fillers or reinforcing agents not necessary for the cross-linking), can produce substances which, at a temperature between 18° and 29°C, will not break on being extended to three times their original length and will return, after being extended to twice their original length, within a period of five minutes, to a length not greater than one and a half times their original length. Such substances include cis-polyisoprene (IR), polybutadiene (BR), polychlorobutadiene (CR), polybutadiene-styrene (SBR), polychlorobutadiene-acrylonitrile (NCR), polybutadiene-arcylonitrile (NBR) and butyl rubber (IIR) ;

(b) Thioplasts (TM) ; and

(c) Natural rubber modified by grafting or mixing with artificial plastic material, de-polymerised natural rubber, and mixtures of unsaturated synthetic substances with saturated synthetic high polymers, provided that all the above-mentioned products comply with the requirements concerning vulcanisation, elongation and recovery in (a) above.

5. Headings Nos. 40.01 and 40.02 are to be taken not to apply to :

(a) Natural or synthetic rubber latex (including pre-vulcanised rubber latex) compounded with vulcanising agents or accelerators, fillers or reinforcing agents, plasticisers, colouring matter (other than colouring matter added solely for the purpose of identification), or with any other substance ; however, latex merely stabilised or concentrated, and thermo-sensitive and electro-positive latex are to be classified in heading No. 40.01 or 40.02 as the case may be ;

(b) Rubber which has been compounded with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil) before coagulation or with any substance after coagulation ; or

(c) Mixtures of any of the products specified in Note 1 to the present Chapter, whether or not compounded with any other substance.

6. Thread wholly of vulcanised rubber, of any cross-section of which any dimension exceeds 5 mm, is to be classified as strip, rod or profile shape, falling within heading No. 40.08.

7. Heading No. 40.10 is to be taken to include transmission, conveyor or elevator belts or belting of textile fabric impregnated, coated, covered or laminated with rubber or made from textile yarn or cord impregnated or coated with rubber.

8. For the purpose of heading No. 40.06, pre-vulcanised rubber latex is to be deemed to be unvulcanised rubber latex.

For the purposes of headings Nos. 40.07 to 40.14, balata, gutta-percha and similar natural gums, and factice derived from oils, and such substances reclaimed, are to be deemed to be vulcanised rubber whether or not they have been vulcanised.

9. In heading Nos. 40.05, 40.08 and 40.15, the expressions "plates", "sheets" and "strip" are to be taken to apply, and to apply only, to plates, sheets and strip, whether or not printed or otherwise surface-worked but not cut to shape or otherwise worked, and rectangular articles cut therefrom not further worked.

In heading No. 40.08 the expressions "rods" and "profile shapes" and in heading No. 40.15 the expressions "rods", "profile shapes" and "tubes" are to be taken to apply, and to apply only, to such products, whether or not cut to length or surface-worked but not otherwise worked.

Heading No.	Name of article	Rate of duty
1	2	3
	I. RAW RUBBER	
40.01	Natural rubber latex, whether or not with added synthetic rubber latex ; pre-vulcanised natural rubber latex ; natural rubber, balata, gutta-percha and similar natural gums	25% *ad val.*
40.02	Synthetic rubber latex ; pre-vulcanised synthetic rubber latex ; synthetic rubber ; factice derived from oils	25% *ad val.*
40.03	Reclaimed rubber	25% *ad val.*
40.04	Waste and parings of unhardened rubber ; scrap of unhardened rubber, fit only for the recovery of rubber ; powder obtained from waste or scrap of unhardened rubber	25% *ad val.*
	II. UNVULCANISED RUBBER	
40.05	Plates, sheets and strip, of unvulcanised natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No. 40.01 or 40.02 ; granules of unvulcanised natural or synthetic rubber compounded ready for vulcanisation ; unvulcanised natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch	37½% *ad val.*
40.06	Unvulcanised natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions) ; articles of unvulcanised natural or synthetic rubber (for example, coated or impregnated textile thread; rings and discs)	50% *ad val.*
	III. ARTICLES OF UNHARDENED VULCANISED RUBBER	
40.07	Vulcanised rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanised rubber ..	62½% *ad val.*
40.08	Plates, sheets, strip, rods and profile shapes, of unhardened vulcanised rubber	62½% *ad val.*
40.09	Piping and tubing, of unhardened vulcanised rubber	62½ % *ad val.*
40.10	Transmission, conveyor or elevator belts or belting, of vulcanised rubber :	
	A. For automotive vehicles	87½% *ad val.*
	B. Other	62½% *ad val.*
40.11	Rubber tyres, tyre cases, interchangeable tyre threads, inner-tubes and tyre flaps, for wheels of all kinds :	
	A. Rubber tyres, tubes etc. used exclusively for aeroplanes and tractors	Free.
	B. Rubber tyres, tubes, etc. used exclusively in motor cycles ..	50% *ad val.*
	C. Other	75% *ad val.*

1	2	3
40.12	Hygienic and pharmaceutical articles (including teats), of unhardened vulcanised rubber, with or without fittings of hardened rubber :	
	A. Contraceptives all sorts	Free.
	B. Hot water bottles and rubber teaks	50% *ad val.*
	C. Other	25% *ad val.*
40.13	Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanised rubber	62½% *ad val.*
40.14	Other articles of unhardened vulcanised rubber :	
	A. Rubber sheets for the manufacture of stoppers for pharmaceutical industry	25% *ad val.*
	B. Other	62½% *ad val.*
	IV. HARDENED RUBBER (EBONITE AND VULCANITE) ; ARTICLES MADE THEREOF	
40.15	Hardened rubber (ebonite and vulcanite), in bulk, plates, sheets, strip, rods, profile shapes or tubes ; scrap, waste and powder, of hardened rubber	62½% *ad val.*
40.16	Articles of hardened rubber (ebonite and vulcanite) :	
	A. Hygienic, medical and surgical articles	25% *ad val.*
	B. Other	62½% *ad val.*

SECTION VIII

RAW HIDES AND SKINS, LEATHER, FURSKINS AND ARTICLES THEREOF ; SADDLERY AND HARNESS ; TRAVEL GOODS, HANDBAGS AND SIMILAR CONTAINERS ; ARTICLES OF GUT (OTHER THAN SILK-WORM GUT)

CHAPTER 41

RAW HIDES AND SKINS (OTHER THAN FURSKINS) AND LEATHER

NOTES

1. This Chapter does not cover :

(a) Parings or similar waste, of raw hides or skins (heading No. 05.05 or 05.06) ;

(b) Birdskins or parts of birdskins, with their feathers or down, falling within heading No. 05.07 or 67.01 ; or

(c) Hides or skins, with the hair on, raw, tanned or dressed (Chapter 43) ; the following are, however, to be classified in heading No. 41.01, namely, raw hides or skins with the hair on, of bovine cattle (including buffalo), of equine animals, of sheep and lambs (except Persian, Astrakhan, Caracul and similar lambs, Indian, Chinese, Mongolian and Tibetan Lambs), of goats and kids (except Yemen, Mongolian and Tibetan goats and kids), of swine (including peccary), of reindeer, of chamois, of gazelle, of deer, of elk, of roebucks or of dogs.

2. Throughout the Nomenclature the expression "composition leather" is to be taken to mean only substances of the kind referred to in heading No. 41.10.

Heading No.	Name of article	Rate of duty
1	2	3
41.01	Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool :	
	A. Bovine and equine hides, other than calfskins	25% *ad val.*
	B. Calf skins	25% *ad val.*
	C. Goat skins and kid skins	25% *ad val.*
	D. Sheep and lamb skins with the wool on	25% *ad val.*
	E. Sheep and lamb skins without the wool	25% *ad val.*
	F. Other	25% *ad val.*
41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No. 41.06, 41.07 or 41.08 :	
	A. Calf leather	62½% *ad val.*
	B. Other	62½% *ad val.*
41.03	Sheep and lamb skin leather, except leather falling within heading No. 41.06, 41.07 or 41.08	62½% *ad val.*
41.04	Goat and kid skin leather, except leather falling within heading No. 41.06, 41.07 or 41.08	62½% *ad val.*
41.05	Other kinds of leather, except leather falling within heading No. 41.06, 41.07 or 41.08	62½% *ad val.*
41.06	Chamois-dressed leather	62½% *ad val.*
41.07	Parchment-dressed leather	62½% *ad val.*
41.08	Patent leather and imitation patent leather ; metallised leather	62½% *ad val.*
41.09	Parings and other waste, of leather or of composition or parchment-dressed leather, not suitable for the manufacture of articles of leather ; leather dust, powder and flour	25% *ad val.*
41.10	Composition leather with a basis of leather or leather fibre, in slabs, in sheets or in rolls	62½% *ad val.*

CHAPTER 42

ARTICLES OF LEATHER ; SADDLERY AND HARNESS ; TRAVEL GOODS, HANDBAGS AND SIMILAR CONTAINERS ; ARTICLES OF ANIMAL GUT (OTHER THAN SILKWORM GUT)

NOTES

1. This chapter does not cover :

(a) Sterile surgical catgut and similar sterile suture materials (heading No. 30.05) ;

(b) Articles of apparel and clothing accessories (except gloves), lined with furskin or artificial fur or to which furskin or artificial fur is attached on the outside except as mere trimming (heading No. 43.03 or 43.04) ;

(c) String or net-bags of Section XI ;

(d) Articles falling within Chapter 64;

(e) Headgear or parts thereof falling within Chapter 65;

(f) Whips, riding-crops or other articles of heading No. 66.02;

(g) Strings, skins for drums and the like, and other parts of musical instruments (heading No. 92.09 or 92.10);

(h) Furniture or parts of furniture (Chapter 94);

(ij) Articles falling within Chapter 97 (for example, toys, games and sports requisites); or

(k) Buttons, studs, cuff-links, press-fasteners, including snap-fasteners and press-studs, and blanks and parts of such articles, falling within heading No. 98.01 or Chapter 71.

2. For the purposes of heading No. 43.03, the expression "articles of apparel and clothing accessories" is to be taken to apply, *inter alia,* to gloves (including sports gloves), aprons and other protective clothing, braces, belts, bandoliers and wrist straps, including watch straps.

Heading No.	Name of article	Rate of duty
1	2	3
42.01	Saddlery and harness, of any material (for example, saddles, harness, collars, traces, knee-pads and boots), for any kind of animal ..	92½% *ad val.*
42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanised fibre, of artificial plastic sheeting, of paperboard or of textile fabric	92½% *ad val.*
42.03	Articles of apparel and clothing accessories, of leather or of composition leather	92½% *ad val.*
42.04	Articles of leather or of composition leather of a kind used in machinery or mechanical appliances or for industrial purposes	25% *ad val.*
42.05	Other articles of leather or of composition leather	92½% *ad val.*
42.06	Articles made from gut (other than silk-worm gut), from goldbeater's skin, from bladders or from tendons:	
	A. Tendons made up as machinery belting and laces for machinery belting	25% *ad val.*
	B. Other	92½% *ad val.*

CHAPTER 43

FURSKINS AND ARTIFICIAL FUR; MANUFACTURES THEREOF

NOTES

1. Throughout the Nomenclature references to furskins, other than to raw furskins of heading No. 43.01, are to be taken to apply to hides or skins of all animals which have been tanned or dressed with the hair on.

2. This Chapter does not cover:

(a) Birdskins or parts of birdskins, with their feathers or down, falling within heading No. 05.07 or 67.01;

(b) Raw hides or skins, with the hair on, of a kind falling within Chapter 41 (*See* Note 1 (c) to that Chapter) ;

(c) Gloves consisting of leather and furskins or of leather and artificial fur (heading No. 42.03) ;

(d) Articles falling within Chapter 64 ;

(e) Headgear or parts thereof falling within Chapter 65 ; or

(f) Articles falling within Chapter 97 (for example, toys, games and sports requisites).

3. For the purposes of heading No. 43.02, the expression " plates, crosses and similar forms " means furskins or parts thereof (excluding " dropped " skins) sewn together in rectangles, crosses or trapesiums, without the addition of other materials. Other assembled skins ready for immediate use (or requiring only cutting to become ready for use), and skins or parts of skins sewn together in the form of garments or parts or accessories of garments or of other articles fall within heading No. 43.03.

4. Articles of apparel and clothing accessories (execpt those excluded by Note 2) lined with furskin or artificial fur or to which furskin or artificial fur is attached on the outside except as mere trimming are to be classified under heading No. 43.03 or 43.04, as the case may be.

5. Throughout the Nomenclature the expression " artificial fur " means any imitation of furskin consisting of wool, hair or other fibres gummed or sewn on to leather, woven fabric or other materials, but does not include imitation furskins obtained by weaving (heading No. 58.04, for example).

Heading No.	Name of article	Rate of duty
1	2	3
43.01	Raw furskins	62½% *ad val.*
43.02	Furskins, tanned or dressed, including furskins assembled in plates, crosses and similar forms ; pieces or cuttings, of furskin, tanned or dressed, including heads, paws, tails and the like (not being fabricated)	92½% *ad val.*
43.03	Articles of furskin	155% *ad val.*
43.04	Artificial fur and articles made thereof	155% *ad val.*

SECTION IX

WOOD AND ARTICLES OF WOOD ; WOOD CHARCOAL ; CORK AND ARTICLES OF CORK ; MANUFACTURES OF STRAW, OF ESPARTO AND OF OTHER PLAITING MATERIALS ; BASKETWARE AND WICKERWORK

CHAPTER 44

WOOD AND ARTICLES OF WOOD ; WOOD CHARCOAL

NOTES

1. This Chapter does not cover :

(a) Wood of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes (heading No. 12.07) ;

(b) Wood of a kind used primarily in dyeing or in tanning (heading No. 13.01);

(c) Activated charcoal (heading No. 38.03);

(d) Articles falling within Chapter 46;

(e) Footwear or parts thereof falling within Chapter 64;

(f) Goods falling within Chapter 66 (for example, umbrellas and walking-sticks and parts thereof);

(g) Goods falling within heading No. 68.09;

(h) Imitation jewellery falling within heading No. 71.16;

(ij) Goods falling within Section XVII (for example, wheel wrights' wares);

(k) Goods falling within Chapter 91 (for example, clocks and clock cases);

(l) Musical instruments or parts thereof (Chapter 92);

(m) Parts of firearms (heading No. 93.06);

(n) Furniture or parts thereof falling within Chapter 94;

(o) Articles falling within Chapter 97 (for example, toys, games and sports requisites); or

(p) Smoking pipes or the like or parts thereof, buttons, pencils or other articles falling within Chapter 98.

2. In this Chapter, the expression "improved wood" means wood which has been subjected to chemical or physical treatment (being, in the case of layers bonded together, treatment in excess of that needed to ensure a good bond), and which has thereby acquired increased density or hardness together with improved mechanical strength or resistance to chemicald or electrical agencies.

3. Headings Nos. 44.19 to 44.28 are to be taken to apply to articles of the respective descriptions of plywood, cellular wood, "improved" wood or reconstituted wood as they apply to such articles of wood.

4. Heading No. 44.25 shall be taken not to apply to tools in which metal parts form the blade, working edge, working surface or other working part.

Heading No.	Name of article	Rate of duty
1	2	3
44.01	Fuel wood, in logs, in billets, in twigs or in faggots; wood waste, including sawdust	50% *ad val.*
44.02	Wood charcoal (including shell and nut charcoal), agglomerated or not.	50% *ad val.*
44.03	Wood in the rough; whether or not stripped of its bark or merely roughed down:	
	A. Teakwood	125% *ad val.*
	B. Other	50% *ad val.*

1	2	3
44.04	Wood, roughly squared or half-squared, but not further manufactured :	
	A. Teakwood	125% *ad val.*
	B. Other	50% *ad val.*
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm :	
	A. Of coniferous species :	
	(*i*) Pencil slats of cedar, not exceeding 8 inches in length	25% *ad val.*
	(*ii*) Other	50% *ad val.*
	B. Other :	
	(*i*) Beach, Birch and Hornbeam wood of a length not exceeding 16 inches for manufacture of bobbins ; blocks of a length not exceeding 20 inches in length for manufacture of cotton textile shuttles and blocks of a length not exceeding 24 inches in length for manufacture of jute textile shuttles of Oak, Cornel, Beach, Percimon, Hornbeam and Maple wood.	25% *ad val.*
	(*ii*) Teakwood	125% *ad val.*
	(*iii*) Other	50% *ad val.*
44.06	Wood paving blocks :	
	A. Of teakwood	125% *ad val.*
	B. Other	50% *ad val.*
44.07	Railway or tramway sleepers of wood :	
	A. Of teakwood	100% *ad val.*
	B. Other	25% *ad val.*
44.08	Riven staves of wood, not further prepared than sawn on one principal surface ; sawn staves of wood, of which at least one principal surface has been cylindrically sawn, not further prepared than sawn :	
	A. Of teakwood	125% *ad val.*
	B. Other	50% *ad val.*
44.09	Hoopwood ; split poles ; piles, pickets and stakes of wood, pointed but not sawn lengthwise ; chipwood ; pulpwood in chips or particles ; wood shavings of a kind suitable for use in the manufacture of vinegar or for the clarification of liquids :	
	A. Of teakwood	125% *ad val.*
	B. Other	50% *ad val.*
44.10	Wooden sticks, roughly trimmed but not turned, bent nor otherwise worked, suitable for the manufacture of walking-sticks, whips, golf club shafts, umbrella handles, tool handles or the like :	
	A. Of teakwood	125% *ad val.*
	B. Other	50% *ad val.*
44 11	Drawn wood ; match splints ; wooden pegs or pins for footwear	50% *ad val.*
44.12	Wood wool and wood flour	50% *ad val.*
44.13	Wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled), planned or tongued, grooved, rebated chamfered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured :	
	A. Of coniferous species	62½% *ad val.*
	B. Other	62½% *ad val.*

1	2	3
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm.; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm	62½% *ad val.*
44.15	Plywood, blackboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets) ; inlaid wood and wood marquetry	155% *ad val.*
44.16	Cellular wood panels, whether or not faced with base metal	62½% *ad val.*
44.17	" Improved " wood, in sheets, blocks or the like	62½% *ad val.*
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like	92½% *ad val.*
44.19	Wooden beadings and mouldings, including moulded skirting and other moulded boards	62½% *ad val.*
44.20	Wooden picture frames, photograph frames, mirror frames and the like.	125% *ad val.*
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings	75% *ad val.*
44.22	Casks, barrels, vats, tubs, buckets and other coopers' products and parts thereof, of wood, other than staves falling within heading No. 44.08.	75% *ad val.*
44.23	Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels)	75% *ad val.*
44.24	Household utensils of wood	125% *ad val.*
44.25	Wooden tools, tool bodies, tool handles, broom and brush bodies and handles ; boot and shoe lasts and trees, of wood	25% *ad val.*
44.26	Spools, cops, bobbins, sewing thread reels and the like, of turned wood.	25% *ad val.*
44.27	Standard lamps, table lamps and other lighting fittings, of wood ; articles of furniture, of wood, not falling within Chapter 94 ; caskets, cigarette boxes, trays, fruit bowls, ornaments and other fancy articles of wood; cases for cutlery, for drawing instruments or for violins, and similar receptacles, of wood ; articles of wood for personal use or adornment, or a kind normally carried in the pocket, in the handbag or on the person ; parts of the foregoing articles, of wood ..	125% *ad val.*
44.28	Other articles of wood	125% *ad val.*

CHAPTER 45

CORK AND ARTICLES OF CORK

NOTES

1. This Chapter does not cover :

(a) Footwear or parts of footwear falling within Chapter 64 ;

(b) Headgear or parts of headgear falling within Chapter 65 ; or

(c) Articles falling within Chapter 97 (for example, toys, games and sports requisites).

Natural cork roughly squared or deprived of the outer bark is to be taken to fall within heading No. 45.02 and not within heading No. 45.01.

Heading No.	Name of article	Rate of duty
1	2	3
45.01	Natural cork, unworked, crushed, granulated or ground ; waste cork ..	25% *ad val.*
45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	50% *ad val.*
45.03	Articles of natural cork	62½% *ad val.*
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork :	
	A. Agglomerated cork ; in blocks, slabs, sheets, rods and tubes ..	50% *ad val.*
	B. Articles of agglomerated cork	62½% *ad val.*

CHAPTER 46

MANUFACTURES OF STRAW, OF ESPARTO AND OF OTHER PLAITING MATERIALS ; BASKETWARE AND WICKER WORK

NOTES

1. In this Chapter the expression "plaiting materials" includes straw, osier or willow, bamboos, rushes, reeds, strips of wood, strips of vegetable fibre or bark, unspun textile fibres, monofil and strip of artificial plastic materials or strips of paper, but not strips of leather, of composition leather or of felt, human hair, horse hair, textile rovings or yarns, or monofil or strip of Chapter 51.

2. This Chapter does not cover:

(a) Twine, cordage, ropes or cables, plaited or not (heading No. 59.04) ;

(b) Footwear or headgear or parts thereof falling within Chapter 64 or 65 ;

(c) Vehicles and bodies for vehicles, of basketware (Chapter 87) ; or

(d) Furniture or parts thereof (Chapter 94).

3. For the purposes of heading No. 46.02, "plaiting materials bound together in parallel strands" means "plaiting materials" placed side by side and bound together, in the form of sheets, whether the binding materials are of spun textile fibre or not.

Heading No.	Name of article	Rate of duty
1	2	3
46.01	Plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips	62½% *ad val.*
46.02	Plaiting materials bound together in parallel strands or woven, in sheet form, including matting, mats and screens ; straw envelopes for bottles	62½% *ad val.*
46.03	Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No. 46.01 or 46.02 ; articles of loofah	125% *ad val.*

SECTION X

PAPER-MAKING MATERIAL; PAPER AND PAPERBOARD AND ARTICLES THEREOF

CHAPTER 47

PAPER-MAKING MATERIAL

Heading No.	Name of article	Rate of duty
1	2	3
47.01	Pulp derived by mechanical or chemical means from any fibrous vegetable material :	
	A. Mechanical wood pulp	50% *ad val.*
	B. Pulp other than wood pulp	50% *ad val.*
	C. Chemical wood pulp, dissolving grades	50% *ad val.*
	D. Soda wood pulp and sulphate wood pulp, unbleached ..	50% *ad val.*
	E. Soda wood pulp and sulphate wood pulp, bleached (other than dissolving grades)	50% *ad val.*
	F. Sulphite wood pulp, unbleached	50% *ad val.*
	G. Sulphite wood pulp, bleached (other than dissolving grades) ..	50% *ad val.*
	H. Semi-chemical wood pulp	50% *ad val.*
47.02	Waste paper and paperboard ; scrap articles of paper or of paperboard, fit only for use in paper making	25% *ad val.*

CHAPTER 48

PAPER AND PAPERBOARD; ARTICLES OF PAPER PULP, OF PAPER OR OF PAPERBOARD

NOTES

1. This chapter does not cover:

(a) Stamping foils of heading No. 32.09;

(b) Perfume and cosmetic papers (heading No. 33.06);

(c) Soap papers (heading No. 34.01), paper impregnated or coated with detergent (heading No. 34.02) and cellulose wadding impregnated with polishes, creams or similar preparations (heading No. 34.05);

(d) Paper or paperboard, sensitised (heading No. 37.03);

(e) Paper-reinforced stratified artificial plastic sheeting (headings Nos. 39.01 to 39.06), or vulcanised fibre (heading No. 39.03), or articles of such materials (heading No. 39.07);

(f) Goods falling within heading No. 42.02 (for example, travel goods);

(g) Articles falling within any heading in Chapter 46 (manufactures of plaiting materials);

(h) Paper yarn or textile articles of paper yarn (Section XI);

(ij) Abrasive paper (heading No. 68.06) or paper-backed mica splittings (heading No. 68.15) (paper coated with mica powder is, however, to be classified in heading No. 48.07);

(k) Metal foil backed with paper or paperboard (Section XV);

(l) Perforated paper or paperboard for musical instruments (heading No. 92.10); or

(m) Goods falling within any heading in Chapter 97 (for example, toys, games and sports requisites) or Chapter 98 (for example, buttons).

2. Subject to the provisions of Note 3, headings Nos. 48.01 and 48.02 are to be taken to include paper and paperboard which have been subjected to calendering, super-calendering, glazing or similar finishing, including false watermarking, and also to paper and paperboard coloured or marbled throughout the mass by any method. They do not apply to paper or paperboard which has been further processed, for example, by coating or impregnation.

3. Paper or paperboard answering to a description in two or more of the headings Nos. 48.01 to 48.07 is to be classified under that one of such headings which occurs latest in the Nomenclature.

4. Headings Nos. 48.01 to 48.07 are to be taken not to apply to paper, paperboard or cellulose wadding:

(a) In strips or rolls of a width not exceeding 15 cm; or

(b) In rectangular sheets (unfolded if necessary) of which no side exceeds 36 cm; or

(c) Cut into shapes other than rectangular shapes.

Except that hand-made paper in any size or shape as made directly and having all its edges deckled remains classified, subject to the provisions of Note 3, within heading No. 48.02.

5. For the purposes of heading No. 48.11, "wallpaper and lincrusta" are to be taken to apply only to:

(a) Paper in rolls, suitable for wall or ceiling decoration, being:

(i) Paper with one or with two margins, with or without guide marks; or

(ii) Paper without margins, surface-coloured or design-printed, coated or embossed, of a width not exceeding 60 cm;

(b) Borders, friezes and corners of paper, of a kind used for wall or ceiling decoration.

6. Heading No. 48.15 is to be taken to apply, *inter alia*, to paper-wool, paper strip (whether or not folded or coated) of a kind used for plaiting, and to toilet paper in rolls or packets, but not to the articles mentioned in Note 7.

7. Heading No. 48.21 is to be taken to apply, *inter alia*, to cards for statistical machines, perforated paper and paper board cards for jacquard and similar machines, paper lace, shelf edging, paper tablecloths, serviettes and handkerchiefs, paper gaskets, moulded or pressed goods of wood pulp, and dress patterns.

8. Paper, paperboard and cellulose wadding, and articles thereof, printed with characters or pictures which are not merely incidental to the primary use of the goods are regarded as printed matter falling within Chapter 49.

Heading No.	Name of article	Rate of duty
1	2	3
	I. PAPER AND PAPERBOARD, IN ROLLS OR IN SHEETS	
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets :	
	A. Thin paper weighing not more than 32 grammes per square metre	
	(*i*) Cigarette paper	25% *ad val.*
	(*ii*) Manifold and similar paper	37½% *ad val*
	(*iii*) Carbon tissue	37½% *ad val.*
	(*iv*) Other	62½% *ad val.*
	B. Printing and writing paper weighing more than 32 but not more than 220 grammes per square metre :	
	(*i*) Newsprint that is to say, paper in rolls or sheets, having a water absorbency when tested by the one minute Cobb method of not less than 45 grammes per square metre containing not less than 70 per cent of mechanical wood pulp and of weight not less than 48 nor more than 63 grammes per square metre	Free.
	(*ii*) Other	25% *ad val.*
	C. Wrapping paper weighing more than 32 but not more than 220 grammes per square metre :	
	(*i*) Kraft paper	25% *ad val.*
	(*ii*) Other	62½% *ad val.*
	D. Special purpose paper weighing more than 32 but not more than 220 grammes per square metre :	
	(*i*) Paper for backing abrasives	25% *ad val.*
	(*ii*) Paper for the manufacture of sensitised paper	25% *ad val.*
	(*iii*) Filter paper and other absorbent paper	37½% *ad val.*
	(*iv*) Other	62½% *ad val.*
	E. Paper and paper abroad weighing more than 220 grammes per square metre :	
	(*i*) Filter paper and paper board ; blotting or absorbent paper and paper board	37½% *ad val.*
	(*ii*) Duplex, triplex and similar paper and paperboard consisting of several layers of different qualities of pulp pressed together :	25% *ad val.*
	(*iii*) Other	62½% *ad val.*
	F. Other	62½% *ad val.*
48.02	Hand-made paper and paperboard :	
	A. Starch paper for the manufacture of torch cells	50% *ad val.*
	B. Other	92½% *ad val.*
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets :	
	A. Grease proof paper ; glaced transparent paper	25% *ad val.*
	B. Other	62½% *ad val.*
48.04	Composite paper of paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets	62½% *ad val.*

1	2	3
48.05	Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets ..	62½% *ad val.*
48.06	Paper and paperboard, ruled, lined or squared, but not otherswise printed, in rolls or sheets	62½% *ad val.*
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not being merely ruled, lined or squared and not constituting printed matter within Chapter 49), in rolls or sheets ;	
	A. Impregnated paper and paperboard	25% *ad val.*
	B. Coated paper and paperboard :	
	(*i*) Carbon paper	62½% *ad val.*
	(*ii*) Graphite paper	62½% *ad val.*
	(*iii*) Tissue paper for the manufacture of stencils	37½% *ad val.*
	(*iv*) Simplex, duplex and triplex paper for the manufacture of transfers	37½% *ad val.*
	(*v*) Other	92½% *ad val.*
	C. Lithographed and micro-tinted cheque paper	75% *ad val.*
	D. Other	92½% *ad val.*
48.08	Filter blocks, slabs and plates, of paper pulp	62½% *ad val.*
48.09	Building board of wood pulp or of vegetable fibre, whether or not bonded with natural or artificial resins or with similar binders	75% *ad val.*
	II. PAPER AND PAPERBOARD CUT TO SIZE OR SHAPE AND ARTICLES OF PAPER OR PAPERBOARD.	
48.10	Cigarette paper, cut to size, whether or not in the form of booklets or tubes :	
	A. Cigarette paper for use in industrial machines	25% *ad val.*
	B. Other	92½% *ad val.*
48.11	Wallpaper and lincrusta ; window transparencies of paper	92½% *ad val.*
48.12	Floor coverings prepared on a base of paper or of paperboard, whether or not cut to size, with or without a coating of linoleum compound ..	92½% *ad val.*
48.13	arbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes ..	62½% *ad val.*
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards ; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery ..	92½% *ad val.*
48.15	Other paper and paperboard, cut to size or shape :	
	A. Note paper in boxes or packets	92½% *ad val*
	B. Cigarette paper	25% *ad va*
	C. Other	62½% *ad va*
48.16	Boxes, bags and other packing containers, of paper or paperboard :	
	A. Paper bags imported by cement, fertilizers and gwargum manufacturing industry for packing these articles	37½% *ad val.*
	B. Other	75% *ad val.*
48.17	Box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like.	92½% *ad val.*
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting-pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard ; sample and other albums and book covers, of paper or paperboard..	92½% *ad val.*

1	2	3
48.19	Paper or paperboard labels, whether or not printed or gummed ..	50% *ad val.*
48.20	Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened) :	50% *ad val.*
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding :	
	A. Cards for statistical machines ; recording dials and sheets and rolls for self-recording apparatus ; beaming paper, cards for jacquard attachement and the like	50% *ad val.*
	B. Other	92½% *ad val.*

CHAPTER 49

PRINTED BOOKS, NEWSPAPERS, PICTURES AND OTHER PRODUCTS OF THE PRINTING INDUSTRY ; MANUSCRIPTS, TYPESCRIPTS AND PLANS

NOTES

1. This Chapter does not cover :

(a) Paper, paperboard, or cellulose wadding, or articles thereof, in which printing is merely incidental to their primary use (Chapter 48) ;

(b) Playing cards or other goods falling within any heading in Chapter 97 ; or

(c) Original engravings, prints or lithographs (heading No. 99.02), postage, revenue or similar stamps falling within heading No. 99.04, antiques of an age exceeding one hundred years or other articles falling within any heading in Chapter 99.

2. Newspapers, journals and periodicals which are bound otherwise than in paper, and sets of newspapers, journals or periodicals comprising more than one number under a single cover are to be treated as falling within heading No. 49.01 and not within heading No. 49.02.

3. Heading No. 49.01 is to be extended to apply to :

(a) A collection of printed reproductions of, for example, works of art or drawings, with a relative text, put up with numbered pages in a form suitable for binding into one or more volumes ;

(b) A pictorial supplement accompanying, and subsidiary to, a bound volume ; and

(c) Printed parts of books or booklets, in the form of assembled or separate sheets or signatures, constituting the whole or a part of a complete work and designed for binding.

However, printed pictures or illustrations not bearing a text, whether in the form of signatures or separate sheets, fall in heading No. 49.11.

4. Headings Nos. 49.01 and 49.02 are to be taken not to apply to publications issued for advertising purposes by or for an advertiser named therein, or to publications which are primarily devoted to advertising (including tourist propaganda). Such publications are to be taken as falling within, heading No. 49.11.

5. For the purposes of heading No. 49.03, the expression "children's picture books" means books for children in which the pictures form the principal interest and the text is subsidiary.

6. For the purposes of heading No. 49.06, the expression "manuscripts and typescripts" is to be taken to extend to carbon copies or copies on sensitised paper of manuscripts and typescripts. References in this Chapter to printed matter of any kind include references to any matter of that kind which is reproduced by means of a duplicating machine.

7. For the purposes of heading No. 49.09, the expression "picture postcards" means cards consisting essentially of an illustration and bearing printed indications of their use.

Heading No.	Name of article	Rate of duty
1	2	3
49.01	Printed books, booklets, brochures, pamphlets and leaflets	Free
49.02	Newspapers, journals and periodicals, whether or not illustrated ..	Free
49.03	Children's picture books and painting books	Free
49.04	Music, printed or in manuscript, whether or not bound or illustrated ..	Free
49.05	Maps and hydrographic and similar charts of all kinds, including atlases, wall maps and topographical plans, printed ; printed globes (terrestrial or celestial)	Free
49.06	Plans and drawings, for industrial, architectural, engineering, commercial or similar purposes, whether original or reproductions on sensitised paper ; manuscripts and typescripts	Free
49.07	Unused postage, revenue and similar stamps of current or new issue in the country to which they are destined ; stamp-impressed paper ; bank notes, stock, share and bond certificates and similar documents of title ; cheque books :	
	A. Stock, share, bond certificates and similar documents of title ; cheque books	75% *ad val.*
	B. Other	Free
49.08	Transfers (Decalcomanins)	62½% *ad val.*
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	125% *ad val.*
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	125% *ad val.*
49.11	Other printed matter, including printed pictures and photographs :	
	A. Printed pictures and photographs :	
	(*i*) Wall pictures such as are ordinarily used for instructional purposes	Free
	(*ii*) Other	125% *ad val.*
	B. Other :	
	(*i*) Posters, pamphlets and other printed material intended for tourist propaganda purposes provided they are issued by or under the auspices of the Government of the country within which travel is to be stimulated and are not primarily intended to advertise the services of any private tourist agency	Free
	(*ii*) Trade catalogues and advertising circulars ; wall diagrams such as are ordinarily used for instructional purposes ; wall diagrams illustrative of natural science ; charts and schematic maps	Free
	(*iii*) Other	125% *ad val.*

SECTION XI

TEXTILES AND TEXTILE ARTICLES

NOTES

1. This Section does not cover :

(a) Animal brush making bristles or hair (heading No. 05.02) ; horsehair or horsehair waste (heading No. 05.03) ;

(b) Human hair or articles of human hair (heading No. 05.01, 67.03 or 67.04), except straining cloth of a kind commonly used in oil presses and the like (heading No. 59.17) ;

(c) Vegetable materials falling within Chapter 14 ;

(d) Asbestos of heading No. 25.24 or articles of asbestos and other products of heading No. 68.13 or 68.14 ;

(e) Articles falling within heading No. 30.04 or 30.05 (for example, wadding, gauze, bandages and similar articles for medical or surgical purposes, sterile surgical suture materials) ;

(f) Sensitised textile fabric (heading No. 37.03) ;

(g) Monofil of which any cross-sectional dimension exceeds 1 mm and strip (artificial straw and like) of a width exceeding 5 mm, of artificial plastic material (Chapter 39) or plaits or fabrics of such monofil or strip (Chapter 46) ;

(h) Woven textile fabrics, felt, bonded fibre fabrics or similar bonded yarn fabrics, impregnated, coated, covered or laminated with rubber, and articles thereof, falling within (Chapter 40) ;

(ij) Skins with their wool on (Chapter 41 or 43) or articles of furskin, artificial fur or articles thereof, falling within heading No. 43.03 or 43.04 ;

(k) Articles of textile materials falling within heading No. 42.01 or 42.02 ;

(l) Products and articles of Chapter 48 (for example, cellulose wadding) ;

(m) Footwear or parts of footwear, gaiters or leggings or similar articles classified in Chapter 64 ;

(n) Headgear or parts thereof falling within Chapter 65 ;

(o) Hair nets (heading No. 65.05 or 67.04, as the case may be) ;

(p) Goods falling within Chapter 67 ;

(q) Abrasive-coated threads, cords or fabric (heading No. 68.06) ;

(r) Glass fibre or articles of glass fibre, other than embroidery with glass thread on a visible ground of fabric (Chapter 70) ;

(s) Articles falling within Chapter 94 (furniture and bedding) ; or

(t) Articles falling within Chapter 97 (for example, toys, games and sports requisites).

2. (A) Goods classifiable in any heading in Chapters 50 to 57 and of a mixture of two or more different textile materials are to be classified according to the following rules :

(a) Goods containing more than 10% by weight of silk, noil or other waste silk or any combination thereof are to be classified in Chapter 50, and, for the purposes of classification in that Chapter, as if consisting wholly of that one of those materials which predominates in weight ;

(b) Continuous filament tow for the manufacture of man-made fibres one textile material which predominates in weight over any other single textile material.

B. For the purposes of the above rules :

(a) Metallised yarn shall be treated as a single textile material and its weight shall be taken as the aggregate of the weight of the textile and metal components, and, for the classification of woven fabrics, metal thread is to be regarded as a textile material ;

(b) Where a heading in question refers to goods of different textile materials (for example, silk and waste silk or carded sheep's or lambs' wool and combed sheep's or lambs' wool), all those materials shall be treated as being one and the same ;

(c) Except as provided in (B) (a), the weight of constituents other than textile materials is not to be included in the weight of the goods.

C. The provisions of paragraphs (A) and (B) above are to be applied also to the yarns referred to in Notes 3 and 4 below.

3. (A) For the purposes of this Section, and subject to the exceptions in paragraph (B) below, yarns (single, multiple or cabled) of the following descriptions are to be treated as "twine, cordage, ropes and cables" :

(a) Of silk, noil or other waste silk, of a weight exceeding 2 g|m (18,000 denier) ;

(b) Of man-made fibre (including yarn of two or more monofil of Chapter 51), of a weight exceeding 1 g|m (9,000 denier) ;

(c) Of true hemp or flax ;

(i) Polished or glazed, of which the length per kilogramme, multiplied by the number of constituent strands, is less than 7,000 m ;

(ii) Not polished or glazed and of a weight exceeding 2 g|m ;

(d) Of coir, consisting of three or more plies ;

(e) Of other vegetable fibres, of a weight exceeding 2 g|m ; or

(f) Reinforced with metal.

B. Exceptions :

(a) Yarn of sheep's or lambs' wool or other animal hair and paper yarn, other than yarn reinforced with metal ;

(b) Continuous filament tow for the manufacture of man-made fibres (discontinuous), and multi-filament yarn without twist or with a twist of less than 5 turns per metre;

(c) Silk worm gut, imitation catgut of silk or of man-made fibres, and monofil of Chapter 51;

(d) Metallised yarn, not being yarn reinforced with metal; and

(e) Chenille yarn and gimped yarn.

4. (A) For the purposes of Chapters 50, 51, 53, 54, 55 and 56, the expression "put up for retail sale" in relation to yarn means, subject to the exceptions in paragraph (B) below, yarn put up:

(a) In balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding:

(i) 200 g in the case of flax and ramie;

(ii) 85 g in the case of silk, noil or other waste silk, and man-made fibres (continuous); or

(iii) 125 g in other cases;

(b) In hanks or skiens of a weight not exceeding:

(i) 85 g in the case of silk, noil or other waste silk, and man-made fibres (continuous); or

(ii) 125 g in other cases;

(c) In hanks or skeins comprising several smaller hanks or skeins separated by dividing threads which render them independent one of the other, each of uniform weight not exceeding:

(i) 85 g in the case of silk, noil or other waste silk, and man-made fibres (continuous); or

(ii) 125 g in other cases.

(B) Exceptions:

(a) Single yarn of any textile material, except:

(i) Single yarn of sheep's or lambs' wool or of fine animal hair, unbleached; and

(ii) Single yarn of sheep's or lambs' wool or of fine animal hair, bleached, dyed or printed, of a length less than 2,000 m|kg;

(b) Multiple or cabled yarn, unbleached;

(i) Of silk, noil or other waste silk, however put up; or

(ii) Of other textile material except sheep's or lambs' wool or fine animal hair, in hanks or skeins;

(c) Multiple or cabled yarn of silk, noil or other waste silk, bleached. dyed or printed, of a length not less than 75,000 m|kg, measured multiple; and

(d) Single, multiple or cabled yarn of any textile material:

(i) In cross-reeled hanks or skeins; or

(ii) Put up on supports or in some other manner indicating its use in the textile industry (for example, on cops, twisting mill tubes, pirns, conical bobbins or spindles, or reeled in the form of cocoons for embroidery looms).

5. (a) For the purposes of heading No. 55.07, "gauze" means a fabric with a warp composed wholly or in part of standing or ground threads and crossing or doup threads which cross the standing or ground threads making a half turn, a complete turn or more to form loops through which weft threads pass.

(b) For the purposes of heading No. 58.08, "plain" means consisting solely of a single series of regular meshes of the same shape or size without any pattern or filling-in of the meshes. In applying this definition no account is to be taken of any minor open spaces which are inherent in the formation of the meshes.

6. For the purposes of this Section, the expression "made up" means:

(a) Cut otherwise than into rectangles;

(b) Made and finished by weaving and ready for use (or merely needing separation by cutting dividing threads) and not requiring sewing or further fabrication (for example, certain dusters, towels, table cloths, scarft squares and blankets);

(c) Hemmed or with rolled edges (except fabrics in the piece which have been cut from wider pieces and hemmed or rolled merely to prevent unravelling), or with a knotted fringe at any of the edges;

(d) Cut to size and having undergone a process of drawn thread work;

(e) Assembled by sewing, gumming or otherwise (other than piece goods consisting of two or more lengths of identical material joined end to end and piece goods composed of two or more fabrics assembled in layers, whether or not padded).

7. The headings of Chapters 50 to 57 and, except where the context otherwise requires, the headings of Chapters 58 to 60, are to be taken not to apply to goods made up within the meaning of Note 6 above. Chapters 50 to 57 are to be taken not to apply to goods falling within Chapter 58 or 59.

CHAPTER 50

SILK AND WASTE SILK

Heading No.	Name of article	Rate of duty
1	2	3
50.01	Silk-worm cocoons suitable for reeling	$37\frac{1}{2}\%$ *ad val.*
50.02	Raw silk (not thrown)	50% *ad val.*
50.03	Silk waste (including cocoons unsuitable for reeling, silk noils and pulled or garnetted rags)	50% *ad val.*
50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale	$62\frac{1}{2}\%$ *ad val.*
50.05	Yarn spun from silk waste other than noil, not put up for retail sale ..	$62\frac{1}{2}\%$ *ad val.*

1	2	3
50.06	Yarn spun from noil silk, not put up for retail sale	62½% *ad val.*
50.07	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale	62½% *ad val.*
50.08	Silk-worm gut ; imitation catgut of silk	25% *ad val.*
50.09	Woven fabrics of silk or of waste silk other than noil	187½% *ad val.*
50.10	Woven fabrics of noil silk	187½% *ad val.*

CHAPTER 51

MAN-MADE FIBRES (CONTINUOUS)

NOTES

1. Throughout the Nomenclature, the term "man-made fibres" means fibres or filaments of organic polymers produced by manufacturing processes, either :

(a) By polymerisation or condensation of organic monomers, for example, polyamides, polyesters, polyurethanes and polyvinyl, derivatives ; or

(b) By chemical transformation of natural organic polymers (such as cellulose, casein, proteins and algae), for example, viscose rayon, cuprammonium rayon (cupra), cellulose acetate and alginates.

2. Heading No. 51.01 is to be taken not be apply to continuous filament tow of man-made fibres falling within Chapter 56.

3. The expression "yarn of man-made fibres (continuous)" is to be taken not to apply to yarn (known as "ruptured filament yarn") of which the majority of the filaments have been ruptured by passage through rollers or other devices (Chapter 56).

4. Monofil of man-made fibre materials of which no cross-sectional dimention exceeds 1 mm is to be classified in heading No. 51.01 when of a weight less than 6.6 mg|m (60 denier) and in heading No. 51.02 in other cases. Monofil of which any cross-sectional dimension exceeds 1 mm is to be classified in Chapter 39.

Strip (artificial straw and the like) of man-made fibre materials is to be classified in heading No. 51.02 when of a width not exceeding 5 mm and in Chapter 39 in other cases.

Heading No.	Name of article	Rate of duty
1	2	3
51.01	Yarn of man-made fibres (continuous), not put up for retail sale :	
	A. Of synthetic fibres :	
	(*i*) Nylon yarn of 3 plies or more of a weight not exceeding 1 g/m, certified by the Provincial Directorate of Fisheries, to have been imported for making fishing nets by persons engaged in the operation of fishing	Free
	(*ii*) Other	Rs. 8.50 per lb. + 25% *ad val.*

1	2	3
	B. Of regenerated fibres :	
	(*i*) Cupprammonium rayon	Rs. 6.50 Per lb. + 25% *ad val.*
	(*ii*) Viscose rayon	Rs. 6.50 per lb. + 25% *ad val.*
	(*iii*) Acetate rayon	Rs. 6.50 per lb. + 25% *ad val.*
	(*iv*) Other	Rs. 8.50 per lb. + 25% *ad val.*
51.02	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials :	
	A. "Lurex" yarn or strip and similar products of a width not exceeding 5 mm, consisting of a core of aluminium foil, or of a core of plastic film whether or not coated with aluminium dust, sandwiched by means of plain or coloured adhesive between two layers of artificial plastic material or covered by means of artificial materials on one or both sides	Rs. 20 per lb. + 25% *ad val.*
	B. Nylon monofilament of a diameter not less than 0.7 mm and not exceeding 1mm and of a weight not less than 6.6 mgm/m	37½% *ad val.*
	C. Other	62½% *ad val.*
51.03	Yarn of man-made fibres (continuous), put up for retail sale :	
	A. Of synthetic fibres :	
	(*i*) Nylon yarn of 3 plies or more of a weight not exceeding 1 g/m, certified by the Provincial Directorate of Fisheries to have been imported for making fishing nets by persons engaged in the operation of fishing	Free.
	(*ii*) Other	Rs. 8.50 per lb.+25% *ad val.*
	B. Of regenerated fibres :	
	(*i*) Cupprammonium rayon	Rs. 6.50 per lb.+25% *ad val.*
	(*ii*) Viscose rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*iii*) Acetate rayon	Rs. 6.50 per lb.+25% *ad val.*
	(*iv*) Other	Rs. 8.50 per lb.+25% *ad val.*
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No. 51.01 or 51.02 :	
	A. Tyre fabrics imported by the manufacturers of tyres	50% *ad val.*
	B. Karakuli cloth	50% *ad val.*
	C. Other	187½% *ad val.*

CHAPTER 52

METALLISED TEXTILES

Heading No.	Name of article	Rate of duty
1	2	3
52.01	Metallised yarn, being textile yarn spun with metal or covered with metal by any process :	
	A. Gold and silver thread	92½% *ad val.*
	B. Other	155% *ad val.*
52.02	Woven fabrics of metal thread or of metallised yarn, of a kind used in articles of apparel, as furnishing fabrics or the like	187½% *ad val.*

CHAPTER 53

WOOL AND OTHER ANIMAL HAIR

NOTE

The expression "fine animal hair" means hair of alpaca, Ilama, vicuna, yak, camel, Angora, Tibetan, Kashmir and similar goats (but not common goats), rabbit (including Angora rabbit), hare, beaver, nutria and musk rat.

Heading No.	Name of article	Rate of duty
1	2	3
53.01	Sheep's or lambs' wool, not carded or combed :	
	A. Greasy or fleece washed	25% *ad val.*
	B. Other	25% *ad val.*
53.02	Other animal hair (fine or coarse), not carded or combed :	
	A Fine hair	25% *ad val.*
	B. Coarse hair	25% *ad val.*
53.03	Waste of sheep's or lambs' wool or of other animal hair (fine or coarse), not pulled or garnetted	25% *ad val.*
53.04	Waste of sheep's or lamb's wool or of other animal hair (fine or coarse), pulled or garnetted (including pulled or garnetted rags)	25% *ad val.*
53.05	Sheep's or lamb's wool or other animal hair (fine or coarse), carded or combed :	
	A Wool and other animal hair, carded or combed, other than wool tops	25% *ad val.*
	B. Wool tops	25% *ad val.*
53.06	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale :	
	A. Woollen yarn upto and including 4 counts	Free.
	B. Other	50% *ad val.*

1	2	3
53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale :	
	A. Worsted yarn upto and including 7 counts	Free.
	B. Other	50% *ad val.*
53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale	50% *ad val.*
53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale	50% *ad val.*
53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale :	
	A. Knitting wool	75% *ad val.*
	B. Other	50% *ad val.*
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair :	
	A. Karakuli cloth	50% *ad val.*
	B. Other	92½% *ad val.*
53.12	Woven fabrics of coarse animal hair other than horsehair	62½% *ad val.*
53.13	Woven fabrics of horsehair	62½% *ad val.*

CHAPTER 54

FLAX AND RAMIE

Heading No.	Name of article	Rate of duty
1	2	3
54.01	Flax, raw or processed but not spun ; flax tow and waste (including pulled or garnetted rags)	25% *ad val.*
54.02	Ramie, raw or processed but not spun ; ramie noils and waste (including pulled or garnetted rags)	25% *ad val.*
54.03	Flax or ramie yarn, not put up for retail sale	37½% *ad val.*
54.04	Flax or ramie yarn, put up for retail sale	37½% *ad val.*
54.05	Woven fabrics of flax or of ramie	62½% *ad val.*

CHAPTER 55

COTTON

Heading No.	Name of article	Rate of duty
1	2	3
55.01	Cotton, not carded or combed	Rs. 5 per lb.
55.02	Cotton linters	67½ paisa per lb.

1	2	3
55.03	Cotton waste (including pulled or garnetted rags), not carded or combed	67½ paisa per lb.
55.04	Cotton, carded or combed	Rs. 1.87½ per lb.
55.05	Cotton yarn, not put up for retail sale	62½% *ad val.*
55.06	Cotton yarn, put up for retail sale	62½% *ad val.*
55.07	Cotton gauze :	
	A. Unbleached, not mercerised :	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres	92½% *ad val.*
	B. Other *:*	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres	92½% *ad val.*
	C. Cotton wrapping gauze 3″×4″ used in the manufacture of torch cells falling under sub-head A (ii) and B (ii)	62½% *ad val.*
55.08	Terry towelling and similar terry fabrics of cotton :	
	A. Unbleached, not mercerised :	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres	92½% *ad val.*
	B. Other *:*	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres	92½% *ad val.*
55.09	Other woven fabrics of cotton :	
	A. Unbleached, not mercerised :	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres:	
	(a) Cotton umbrella grey cloth in pieces not more than 49 inches in width and not more than 100 yards in length, with edge borders 1/8 inch to 3/8 inch on both sides, a blank space from 3/4 inch to 1 inch or over after the edge border and a design border after the blank space ranging from 3/4 inch to 1 inch or over, the total breadth of the edge border, blank space and design border to be not under 2 inches. After the design border on both sides there shall be blank spaces not more than 20½ inches each and a space not under 4 inches including two of the same design borders and a blank space of 1½ inches to 2 inches or over the centre part of the cloth	50% *ad val.*
	(b) Cotton tyre fabric imported by the manufacturers of tyres	50% *ad val.*
	(c) Cotton ribbon fabrics for the manufacture of typewriter ribbon	25% *ad val.*
	(d) Other	92½% *ad val*

1	2	3
	B. Other :	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres :	
	(a) Cotton umbrella cloth dyed fast black, not more than 22 inches in width, with edge border 1/8 inch to 1½ inches on one side or both sides. Blank space after the edge border or the edge from 3/4 inch to 1 inch or over. Design border or borders after the blank space to range from 3/4 inch to 1 inch or 1-1/4 inch. Total breadth of edge border, blank space and border design to be not under 2 inches	50% *ad val.*
	(b) Fusing interlining material (textile material for stiffening cuffs and collars) if imported by authorised manufacturers of garments	62½ % *ad val.*
	C. Other	92½% *ad val.*

CHAPTER 56

MAN-MADE FIBRES (DISCONTINUOUS)

NOTE

Heading No. 56.02 is to be taken to apply only to continuous filament tow of man-made fibres, consisting of parallel filaments of a uniform length equal to the length of the tow, meeting the following specification :

(*a*) Length of tow exceeding 2 m ;

(*b*) Twist less than 5 turns per metre ;

(*c*) Weight per filament less than 6.6 mg/m (60 denier) ;

(*d*) In the case of filaments described in Note 1(a) to Chapter 51, the tow must be drawn, that is to say, be incapable of being stretched by more than 100% of its length ;

(*e*) Total weight of tow more than 2g/m (18,000 denier).

Tow of a length not exceeding 2 m is to be classified in heading No. 56.01.

Heading No.	Name of article	Rate of duty
1	2	3
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning :	
	A. Synthetic fibres	87½% *ad val.*
	B. Regenerated fibres	87½% *ad val.*
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous) :	
	A. Of synthetic fibres	87½ % *ad val.*
	B. Of regenerated fibres	87½% *ad val.*
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning	87½% *ad val.*

1	2	3
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning :	
	A. Synthetic fibres	87½% *ad val.*
	B. Regenerated fibres	87½% *ad val.*
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale :	
	A. Of synthetic fibres	Rs. 8.50 per lb. +25% *ad val.*
	B. Of regenerated fibres :	
	(*i*) Cupprammonium rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*ii*) Viscose rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*iii*) Acetate rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*iv*) Other	Rs. 8.50 per lb. +25% *ad val.*
56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale :	
	A. Of synthetic fibres	Rs. 8.50 per lb. +25% *ad val.*
	B. Of regenerated fibres :	
	(*i*) Cupprammonium rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*ii*) Viscose rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*iii*) Acetate rayon	Rs. 6.50 per lb. +25% *ad val.*
	(*iv*) Other	Rs. 8.50 per lb. +25% *ad val.*
56.07	Woven fabrics of man-made fibres (discontinuous or waste) :	
	A. Karakuli cloth	50% *ad val.*
	B. Other	187½% *ad val.*

CHAPTER 57

OTHER VEGETABLE TEXTILE MATERIALS ; PAPER YARN AND WOVEN FABRICS OF PAPER YARN

Heading No.	Name of article	Rate of duty
1	2	3
57.01	True hemp (" cannabis sativa ") raw or processed but not spun ; tow and waste of true hemp (including pulled or garnetted rags or ropes)	37½% *ad val.*
57.02	Manila hemp (abaca) (" Musa textilis "), raw or processed but not spun ; tow and waste of manila hemp (including pulled or garnetted rags or ropes)	37½% *ad val.*

1	2	3
57.03	Jute and other textile bast fibres not elsewhere specified or included, raw or processed but not spun ; tow and waste thereof (including pulled or garnetted rags or ropes)	Free.
57.04	Other vegetable textile fibres, raw or processed but not spun ; waste of such fibres (including pulled or garnetted rags or ropes) :	
	A. Sisal and other fibres of the agave family and waste of such fibres	Free.
	B. other	Free.
57.05	Yarn of true hemp	50% *ad val.*
57.06	Yarn of jute or of other textile bast fibres of heading No. 57.03 ..	25% *ad val.*
57.07	Yarn of other vegetable textile fibres	50% *ad val.*
57.08	Paper yarn	50% *ad val.*
57.09	Woven fabrics of true hemp	62½% *ad val.*
57.10	Woven fabrics of jute or of other textile bast fibres of heading No. 57.03	62½% *ad val.*
57.11	Woven fabrics of other vegetable textile fibres	62½% *ad val.*
57.12	Woven fabrics of paper yarn	62½% *ad val.*

CHAPTER 58

CARPETS, MATS, MATTING AND TAPESTRIES ; PILE AND CHENILLE FABRICS ; NARROW FABRICS ; TRIMMINGS ; TULLE AND OTHER NET FABRICS ; LACE ; EMBROIDERY.

NOTES

1. The headings of this Chapter are to be taken not to apply to coated or impregnated fabrics, elastic fabrics or elastic trimmings, machinery belting or other goods falling within Chapter 59. However, embroidery on any textile base falls within heading No. 58.10.

2. In headings Nos. 58.01 and 58.02, the words " carpets " and " rugs " are to be taken to extend to similar articles having the characteristics of floor coverings but intended for use for other purposes. These headings are to be taken not to apply to felt carpets, which fall within Chapter 59.

3. For the purposes of heading No. 58.05, the expression " narrow woven fabrics " means :

(*a*) Woven fabrics of a width not exceeding 30 cm, whether woven as such or cut from wider pieces, provided with selvedges (woven, gummed or made otherwise) on both edges ;

(*b*) Tubular woven fabrics of a flattened width not exceeding 30 cm ; and

(*c*) Bias binding with folded edges, of a width when unfolded not exceeding 30 cm.

Narrow woven fabrics in the form of fringes are to be treated as falling within heading No. 58.07.

4. Heading No. 58.08 is to be taken not to apply to nets or netting in the piece made of twine, cordage or rope, which are to be taken as falling within heading No. 59.05.

5. In heading No. 58.10, the expression "embroidery" means, *inter alia*, embroidery with metal or glass thread on a visible ground of textile fabric, and sewn applique work of sequins, beads or ornamental motifs of textile or other materials. The heading is to be taken not to apply to needle work tapestry (heading No. 58.03).

6. The headings of this Chapter are to be taken to include goods of the descriptions specified therein when made of metal thread and of a kind used in apparel, as furnishings or the like.

Heading No.	Name of article	Rate of duty
1	2	3
58.01	Carpets, carpeting and rugs, knotted (made up or not) :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½%*ad val.*
58.02	Other carpets, carpeting, rugs, mats and matting, and "Kelem" "Schumacks" and "Karamanie," rugs and the like (made up or not) :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Coir mats and matting	62½% *ad val.*
	C. Other	92½% *ad val.*
58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No. 55.08 and fabrics falling within heading No. 58.05) :	
	A. Of cotton :	
	(*i*) Containing silk or man-made fibres	155% *ad val.*
	(*ii*) Not containing silk or man-made fibres	92½% *ad val.*
	B. Of silk	187½% *ad val.*
	C. Of wool or of fine animal hair	92½% *ad val.*
	D. Of man-made fibres :	
	(*i*) Of synthetic fibres	187½% *ad val.*
	(*ii*) Of regenerated fibres	187½% *ad val.*
	E. Other	92½% *ad val.*
58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No. 58.06 :	
	A. Of silk or of Man-made fibres	92½% *ad vel.*
	B. Other :	
	(*i*) Cotton ribbon fabrics for the manufacture of typewriter ribbons	25% *ad val.*
	(*ii*) Other :	62½% *ad val.*
58.06	Woven labels, badges and the like, not embroidered, in the piece in strips or cut to shape or size	62½%*ad val.*

1	2	3
58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallised yarn of heading No. 52.01 and gimped horsehair yarn) ; braids and ornamental trimmings in the piece ; tassels, pompons and the like :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain :	
	A. Of silk or of man-made fibres	187½% *ad val.*
	B. Other	92½% *ad val.*
58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured ; hand or mechanically made lace, in the piece, in strips or in motifs :	
	A. Fabrics :	
	(*i*) Of silk or of man-made fibres	187½% *ad val.*
	(*ii*) Other	92½% *ad val.*
	B. Other :	
	(*i*) Of silk or of man-made fibres	155% *ad val.*
	(*ii*) Other	92½% *ad val.*
58.10	Embroidery, in the piece, in strips or in motifs :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*

CHAPTER 59

WADDING AND FELT ; TWINE, CORDAGE, ROPES AND CABLES ; SPECIAL FABRICS ; IMPREGNATED AND COATED FABRICS ; TEXTILE ARTICLES OF A KIND SUITABLE FOR INDUSTRIAL USE.

NOTES

1. For the purposes of this Chapter, the expression "textile fabric" is to be taken to apply only to the textile fabrics of Chapters 50 to 57 and headings Nos. 58.04 and 58.05, the braids and trimmings in the piece of heading No. 58.07, the tulle and other net fabrics of headings Nos. 58.08 and 58.09, lace of heading No. 58.09 and the knitted and crocheted fabrics of heading No. 60.01.

2. A. Heading No. 59.08 is to be taken to apply to textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials whatever the weight per square metre and whatever the nature of the plastic material (compact, foam, sponge or expanded).

It does not, however, cover :

(*a*) Fabrics in which the impregnation, coating or covering cannot be seen with the naked eye (usually Chapters 50 to 58 and 60) ; for the purpose of this provision, no account should be taken of any resulting change of colour ;

(*b*) Products which cannot, without fracturing, be bent manually around a cylinder of a diameter of 7 mm, at a temperature between 15°C and 30°C (usually Chapter 39) ; or (*c*) Products in which the textile fabric is either completely embedded in artificial plastic material or coated or covered on both sides with such material (Chapter 39).

B. Heading No. 59.12 does not apply to :

(*a*) Fabrics in which the impregnation or coating cannot be seen with the naked eye (usually Chapters 50 to 58 and 60) ; for the purpose of this provision, no account should be taken of any resulting change of colour ;

(*b*) Fabrics painted with designs (other than painted canvas being theatrical scenery, studio back-cloths or the like) ;

(*c*) Fabrics covered with flock, dust, powdered cork or the like and bearing designs resulting from these treatments ; or

(*d*) Fabrics finished with normal dressings having a basis of amylaceous or similar substances.

3. In heading No. 59.11 the expression "rubberised textile fabrics" means :

(*a*) Textile fabrics impregnated, coated, covered or laminated with rubber :

(*i*) weighing not more than 1,500 g/m^2 ; or

(*ii*) weighing more than 1,500 g/m^2 and containing more than 50% by weight of textile material ;

(*b*) Fabrics composed of parallel textile yarns agglomerated with rubber, irrespective of their weight per square metre ; and

(*c*) Plates, sheets and strip, of expanded, foam or sponge rubber, combined with textile fabric, other than those falling in Chapter 40 by virtue of the last paragraph of Note 2 to that Chapter.

4. Heading No. 59.16 is to be taken not to apply to :

(*a*) Transmission, conveyor or elevator belting of a thickness of less than 3 mm ; or

(*b*) Transmission, conveyor or elevator belts or belting of textile fabric impregnated, coated, covered or laminated with rubber or made from textile yarn or cord impregnated or coated with rubber (heading No. 40.10).

5. Heading No. 59.17 is to be taken to apply to the following goods which are to be taken as not falling within any other heading of Section XI :

(*a*) Textile products (other than those having the character of the products of headings Nos. 59.14 to 59.16), the following only :

(*i*) Textile fabric, felt and felt-lined woven fabric, coated, covered or laminated with rubber, leather or other material, of a kind commonly used for card clothing, and similar fabric of a kind commonly used in machinery or plants ;

(*ii*) Bolting cloth ;

(*iii*) Straining cloth of a kind commonly used in oil presses and the like, of textile fibres or of human hair ;

(*iv*) Woven textile felts, whether or not impregnated or coated, of a kind commonly used in paper-making or other machinery, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or weft ;

(*v*) Textile fabrics reinforced with metal, of a kind commonly used in machinery or plant ;

(*vi*) Textile fabrics of the metallised yarn falling within heading No. 52.01, of a kind commonly used in papermaking or other machinery ;

(*vii*) Cords, braids and the like, whether or not coated, impregnated or reinforced with metal, of a kind commonly used in machinery or plant as packing or lubricating materials ;

(*b*) Textile articles (other than those of headings Nos. 59.14 to 59.16) of a kind commonly used in machinery or plant (for example, gaskets, washers polishing discs and other machinery parts).

Heading No.	Name of article	Rate of duty
1	2	3
59.01	Wadding and articles of wadding; textile flock and dust and mill neps ..	50% *ad val.*
59.02	Felt and articles of felt, whether or not impregnated or coated ..	62½% *ad val.*
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated	62½% *ad val.*
59.04	Twine, cordage, ropes and cables, plaited or not :	
	A. Nylon twine	25% *ad val.*
	B. Other	62½% *ad val.*
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope	62½% *ad val.*
59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics	62½% *ad val.*
59.07	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses	50% *ad val.*
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials : ..	
	A. Book-binding cloth	50% *ad val.*
	B. Other	62½% *ad val.*
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil :	
	A. Book-binding cloth	50% *ad val.*
	B. Other	62½% *ad val.*
59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	62½% *ad val.*
59.11	Rubberised textile fabrics, other than rubberised knitted or crocheted goods	62½% *ad val.*
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like	62½% *ad val.*
59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads ..	62½% *ad val.*
59.14	Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like: tubular knitted gas-mantle fabric and incandescent gas-mantles	50% *ad val.*
59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials	50% *ad val.*
59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	50% *ad val.*
59.17	Textile fabrics and textile articles, of a kind commonly used in machinery or plant	50% *ad val.*

CHAPTER 60

KNITTED AND CROCHETED GOODS

NOTES

1. This Chapter does not cover :

(*a*) Crochet lace of heading No. 58.09 ;

(*b*) Knitted or crocheted goods falling within Chapter 59 ;

(*c*) Corsets, corset-belts, suspender-belts, brassiers, braces, suspenders, garters or the like (heading No. 61.09) ;

(*d*) Old clothing or other articles falling within heading No. 63.01 ; or

(*e*) Orthopaedic appliances, surgical belts, trusses or the like (heading No. 90.19).

2. Headings Nos. 60.02 to 60.06 are to be taken to apply to knitted or crocheted articles and to parts thereof :

(*a*) Knitted or crocheted directly to shape, whether imported as separate items or in the form of a number of items in the length ;

(*b*) Made up, by sewing or otherwise.

3. For the purposes of heading No. 60.06, knitted or crocheted articles are not considered to be elastic articles only by reason of their containing rubber thread or elastic forming merely a supporting band.

4. The headings of this Chapter are to be taken to include goods of the descriptions specified therein when made of metal thread and of a kind used in apparel, as furnishings or the like.

5. For the purposes of this Chapter :

(*a*) " Elastic " means consisting of textile materials combined with rubber threads ; and

(*b*) " Rubberised " means impregnated, coated, covered or laminated with rubber, or made with textile thread impregnated, coated or covered with rubber.

Heading No.	Name of article	Rate of duty
1	2	3
60.01	Knitted or crocheted fabric, not elastic nor rubberised :	
	A. Of silk or of man-made fibres	187½% *ad val.*
	B. Other	92½% *ad val.*
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberised :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like knitted or crocheted, not elastic nor rubberised :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*

1	2	3
60.04	Under garments, knitted or crocheted, not elastic nor rubberised :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
60.05	Outer garments and other articles, knitted or crocheted, not elastic nor rubberised :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberised (including elastic knee-caps and elastic stockings)	The duties applicable to headings Nos. 60.01 to 60.05

CHAPTER 61

ARTICLES OF APPAREL AND CLOTHING ACCESSORIES OF TEXTILE FABRIC, OTHER THAN KNITTED OR CROCHETED GOODS

NOTES

1. The headings of this Chapter are to be taken to apply to articles of the kinds described therein only when made up of any textile fabric (including felt, bonded fibre fabric, braid or trimmings of heading No. 58.07, tulle or other net fabrics and lace) or of a fabric of metal thread, but not including articles of knitted or crocheted material other than those falling within heading No. 61.09.

2. The headings of this Chapter do not cover :

(*a*) Old clothing or other articles falling within heading No. 63.01 ; or

(*b*) Orthopaedic appliances, surgical belts, trusses or the like (heading No. 90.19).

3. For the purposes of headings Nos. 61.01 to 61.04 :

(*a*) Articles which cannot be identified as either men's or boys' garments or as women's or girls' garments are to be classified in heading No. 61.02 or 61.04 as the case may be ;

(*b*) The expression " infants' garments " is to be taken to apply to :

 (*i*) Garments for young children which are not identifiable as for wear exclusively by boys or by girls, and

 (*ii*) Babies' napkins.

4. Scarves and articles of the scarf type, square or approximately square, of which no side exceeds 60 cm are to be classified as handkerchiefs (heading No. 61.05).

Handkerchiefs of which any side exceeds 60 cm are to be classified in heading No. 61.06.

5. The headings [illegible] this Chapter are to be taken to apply to textile fabrics (other than knitted or crocheted fabric) cut to shape for making articles of this Chapter.

Heading No. 61.09, however, also includes fabrics knitted or crocheted to shape for making articles classified in that heading, whether imported as separate items or in the form of a number of items in the length.

Heading No.	Name of article	Rate of duty
1	2	3
61.01	Men's and boys' outer garments :	
	A. Of rubberised, oiled, and similar waterproof materials	92½% *ad val.*
	B. Other :	
	(*i*) Of silk or man-made fibres	187½% *ad val.*
	(*ii*) Other	92½% *ad val.*
61.02	Women's, girls' and infants' outer garments :	
	A. Of rubberized, oiled and similar waterproof materials	92½% *ad val.*
	B. Other :	
	(*i*) Of silk or of man-made fibres	187½% *ad val.*
	(*ii*) Other	92½% *ad val.*
61.03	Men's and boy's under garments, including collars, shirt fronts and cuffs :	
	A. Of silk or of man-made fibres	187½% *ad val.*
	B. Other	92½% *ad val.*
61.04	Women's, girls' and infants' under garments :	
	A. Of silk or of man-made fibres	187½% *ad val.*
	B. Other	92½% *ad val.*
61.05	Handkerchiefs :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.06	Shawls, scarves, mufflers, mantillas, veils and the like :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.07	Ties, bow ties and cravats :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.09	Corsets, corset-belts, suspender-belts, brassiers, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets) :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*

CHAPTER 62

OTHER MADE UP TEXTILE ARTICLES

NOTES

1. The headings of this Chapter are to be taken to apply to the articles of the kinds described therein only when made up of any textile fabric (other than felt and bonded fibre or similar bonded yarn fabrics) or of the braids or trimmings of heading No. 58.07, not being knitted or crocheted goods.

2. The headings of this Chapter do not cover :

(*a*) Goods falling within Chapters 58, 59 or 61 ; or

(*b*) Old clothing or other articles falling within heading No. 63.01.

Heading No.	Name of article	Rate of duty
1	2	3
62.01	Travelling rugs and blankets :	
	A. Of silk or of man-made fibres	155% *ad val.*
	B. Other	92½% *ad val.*
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles :	
	A. Of silk or of man-made fibres	187-1/2% *ad val.*
	B. Other	92-1/2% *ad val.*
62.03	Sacks and bags, of a kind used for the packing of goods	62-1/2% *ad val.*
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods ..	50% *ad val.*
62.05	Other made up textile articles (including dress patterns) :	
	A. Of silk or of man-made fibres	187-1/2% *ad val.*
	B. Other	92-1/2% *ad val.*

CHAPTER 63

OLD CLOTHING AND OTHER TEXTILE ARTICLES ; RAGS

Heading No.	Name of article	Rate of duty
1	2	3
63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No. 58. 01, 58.02 or 58.03), of textile materials, footwear and head-gear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings :	
	A. Clothing and clothing accessories :	
	(*i*) Of silk or of man-made fibres	187-1/2% *ad val.*
	(*ii*) Second-hand clothing and clothing accessories falling under sub-head "A"	20% *ad val.*
	(*iii*) Other -	62-1/2% *ad val.*
	B. Other	62-1/2% *ad val.*
63.02	Used or new rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables	50% *ad val.*

SECTION XII

FOOTWEAR, HEADGEAR, UMBRELLAS, SUNSHADES, WHIPS, RIDING-CROPS AND PARTS THEREOF ; PREPARED FEATHERS AND ARTICLES MADE THEREWITH ; ARTIFICIAL FLOWERS ; ARTICLES OF HUMAN HAIR ; FANS.

CHAPTER 64

FOOTWEAR, GAITERS AND THE LIKE ; PARTS OF SUCH ARTICLES

NOTES

1. This Chapter does not cover :

(*a*) Footwear, without applied soles, knitted or crocheted (heading No. 60.03) or of other textile fabric (except felt or bonded fibre or similar bonded yarn fabrics) (heading No. 62.05) ;

(*b*) Old footwear falling within heading No. 63.01 ;

(*c*) Articles of asbestos (heading No. 68.13) ;

(*d*) Orthopaedic footwear or other orthopaedic appliances, or parts thereof (heading No. 90.19) ; or

(*e*) Toys and skating boots with skates attached (Chapter 97).

2. For the purposes of headings Nos. 64.05 and 64.06, the expression " parts " is to be taken not to include pegs, boot protectors, eyelets, boot hooks, buckles, ornaments, braid, laces, pompons or other trimmings (which are to be classified in their appropriate headings) or buttons or other goods falling within heading No. 98.01.

3. For the purposes of heading No. 64.01, the expression " rubber or artificial plastic material " is to be taken to include any textile fabric coated or covered externally with one or both of those materials.

Heading No.	Name of article	Rate of duty
1	2	3
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	.. 92-1/2% *ad val.*
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No. 64.01) with outer soles of rubber or artificial plastic material	.. 92-1/2% *ad val.*
64.03	Footwear with outer soles of wood or cork	.. 92-1/2% *ad val.*
64.04	Footwear with outer soles of other materials	.. 92-1/2% *ad val.*
64.05	Parts of footwear (including uppers, in-soles and screw-on heels) of any material except metal	.. 62-1/2% *ad val.*
64.06	Gaiters, spats, leggings, puttees, cricket pads, shin-guards and similar articles, and parts thereof	.. 62-1/2% *ad val.*

CHAPTER 65

HEADGEAR AND PARTS THEREOF

NOTES

1. This Chapter does not cover :

   (*a*) Old headgear falling within heading No. 63.01 ;

   (*b*) Hair nets of human hair (heading No. 67.04) ;

   (*c*) Asbestos headgear (heading No. 68.13) ; or

   (*d*) Dolls' hats or other toy hats, or carnival articles of Chapter 97.

2. Heading No. 65.02 is to be taken not to apply to hat-shapes made by sewing (other than hat-shapes made by the sewing in spirals of plaited or other strips).

Heading No.	Name of article	Rate of duty
1	2	3
65.01	Hat-forms, hat bodies and hoods of felt, neither blocked to shape nor with made brims; plateaux and manchons (including slit manchons), of felt	62-1/2% *ad val.*
65.02	Hat-shapes, plaited or made from plaited or other strips of any material, neither blocked to shape nor with made brims	62-1/2% *ad val.*
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No. 65.01, whether or not lined or trimmed	92-1/2% *ad val.*
65.04	Hats and other headgear, plaited or made from plaited or other strips of any material, whether or not lined or trimmed	92-1/2% *ad val.*
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed	92-1/2% *ad val.*
65.06	Other headgear, whether or not lined or trimmed	92-1/2% *ad val.*
65.07	Head-bands, linings, covers, hat foundations, hat frames (including spring frames for opera hats), peaks and chinstraps, for headgear ..	62-1/2% *ad val.*

CHAPTER 66

UMBRELLAS, SUNSHADES, WALKING-STICKS, WHIPS, RIDING-CROPS AND PARTS THEREOF

NOTES

1. This Chapter does not cover :

   (*a*) Measure walking-sticks or the like (heading No. 90.16) ;

   (*b*) Firearm-sticks, sword-sticks, loaded walking-sticks or the like (Chapter 93) ; or

   (*c*) Goods falling within Chapter 97 (for example, toy umbrellas and toy sunshades).

2. Heading No. 66.03 is to be taken not to apply to parts, trimmings or accessories of textile material, nor to covers, tassels, thongs, umbrella cases or the like, of any material. Such goods imported with, but not fitted to, articles falling within heading No. 66.01 or 66.02 are to be classified separately and are not to be treated as forming part of those articles.

Heading No.	Name of article	Rate of duty
1	2	3
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)	92-1/2% *ad val.*
66.02	Walking-sticks (including climbing sticks and seat-sticks), canes, whips, riding-crops and the like	125% *ad val.*
66.03	Parts, fittings, trimmings and accessories of articles falling within heading No. 66.01 or 66.02	62-1/2 % *ad val.*

CHAPTER 67

PREPARED FEATHERS AND DOWN AND ARTICLES MADE OF FEATHERS OR OF DOWN ; ARTIFICIAL FLOWERS ; ARTICLES OF HUMAN HAIR ; FANS.

NOTES

1. This Chapter does not cover :
   - (*a*) Straining cloth of human hair (heading No. 59.17) ;
   - (*b*) Floral motifs of lace, of embroidery or other textile fabric (Section XI) ;
   - (*c*) Footwear (Chapter 64) ;
   - (*d*) Headgear (Chapter 65) ;
   - (*e*) Feather dusters (heading No. 96.04), powder-puffs (heading No. 96.05) or hair sieves (heading No. 96.06) ; or
   - (*f*) Toys, sports requisites or carnival articles (Chapter 97).
2. Heading No. 67.01 is to be taken not to apply to :
   - (*a*) Goods (for example, bedding) in which feathers or down constitute only filling or padding ;
   - (*b*) Articles of apparel and accessories thereto in which feathers or down constitute no more than mere trimming or padding ;
   - (*c*) Artificial flowers or foliage or parts thereof or made up articles of heading No. 67.02 ; or
   - (*d*) Fans (heading No. 67.05).
3. Heading No. 67.02 is to be taken not to apply to :
   - (*a*) Articles of glass (Chapter 70) ;
   - (*b*) Artificial flowers, foliage or fruit of pottery, stone, metal, wood or other materials, obtained in one piece by moulding, forging, carving, stamping or other process, or consisting of parts assembled otherwise than by binding, glueing or similar methods.

Heading No.	Name of article	Rate of duty
1	2	3
67.01	Skins and other parts of birds with their feathers or down, feathers, parts of feathers, down, and articles thereof, (other than goods falling within heading No. 05.07 and worked quills and scapes) ..	92-1/2% *ad val.*
67.02	Artificial flowers, foliage or fruit and parts thereof articles made of artificial flowers, foliage or fruit	125% *ad val.*

1	2	3
67.03	Human hair, dressed, thinned, bleached or otherwise worked ; wool or other animal hair prepared for use in making wigs and the like ..	75% *ad val.*
67.04	Wigs, false beards, eyebrows and eyelashes, switches and the like, of human or animal hair or of textiles ; other articles of human hair (including hair nets)	125% *ad val.*
67.05	Fans and hand screens, non-mechanical, of any material ; frames and handles therefor and parts of such frames and handles, of any material.	125% *ad val.*

SECTION XIII

ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS ; CERAMIC PRODUCTS ; GLASS AND GLASSWARE

CHAPTER 68

ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS

NOTES

1. This Chapter does not cover :

(*a*) Goods falling within Chapter 25 ;

(*b*) Coated or impregnated paper falling within heading No. 48.07 (for example, paper coated with mica powder or graphite, bituminised or asphalted paper) ;

(*c*) Coated or impregnated textile fabric falling within Chapter 59 (for example, mica-coated fabric, bituminised or asphalted fabric) ;

(*d*) Articles falling within Chapter 71 ;

(*e*) Tools or parts of tools, falling within Chapter 82 ;

(*f*) Lithographic stones of heading No. 84.34 ;

(*g*) Electrical insulators (heading No. 85.25) or fittings of insulating material falling within heading No. 85.26 ;

(*h*) Dental burrs (heading No. 90.17) ;

(*ij*) Goods falling within Chapter 91 (for example, clocks and clock cases) ;

(*k*) Articles falling within heading No. 95.07 ;

(*l*) Articles falling within Chapter 97 (for example, toys, games and sports requisites) ;

(*m*) Goods falling within heading No. 98.01 (for example, buttons), No. 98.05 (for example, slate pencils) or No. 98.06 (for example, drawing slates) ; or

(*n*) Works of art, collectors' pieces or antiques (Chapter 99).

2. In heading No. 68.02 the expression " worked monumental or building stone " is to be taken to apply not only to the varieties of stone referred to in headings Nos. 25.15 and 25.16 but also to all other natural stone (for example, quartzite, flint, dolomite and steatite) similarly worked ; it is, however, to be taken not to apply to slate.

Heading No.	Name of article	Rate of duty
1	2	3
68.01	Road and paving setts, curbs and flagstones, of natural stone (except slate)	Free.
68.02	Worked monumental or building stone, and articles thereof (including mosaic cubes), other than goods falling within heading No. 68.01 or within Chapter 69	75% *ad val.*
68.03	Worked slate and articles of slate, including articles of agglomerated slate	75% *ad val.*
68.04	Millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks ; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery :	
	A. Grinding wheels :	
	(*i*) Of 24 inches or less in diameter	75% *ad val.*
	(*ii*) Other	25% *ad val.*
	B. Other	37½% *ad val.*
68.05	Hand polishing stones, whetstones, oilstones, hones and the like, of natural stone, of agglomerated natural or artificial abrasives, or of pottery	62½% *ad val.*
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up	62½% *ad val.*
68.07	Slag wool, rock wool and similar mineral wools; exfoliated vermiculite, expanded clays, foamed slag and similar expanded mineral materials ; mixtures and articles of heat-insulating, sound-insulating, or sound-absorbing mineral materials, other than those falling in heading No. 68.12 or 68.13, or in Chapter 69	62½% *ad val.*
68.08	Articles of asphalt or of similar material (for example, of petroleum bitumen or coal tar pitch)	75% *ad val.*
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances	75% *ad val.*
68.10	Articles of plastering material	75% *ad val.*
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not	75% *ad val.*
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like ..	75% *ad val.*
68.13	Fabricated asbestos and articles thereof (for example, asbestos board, thread and fabric ; asbestos clothing, asbestos jointing), reinforced or not, other than goods falling within heading No. 68.14 ; mixtures with a basis of asbestos and magnesium carbonate, and articles of such mixtures	75% *ad val.*

1	2	3
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials :	
	A. For automotive vehicles	87½% *ad val.*
	B. Other	62½% *ad val.*
68.15	Worked mica and articles of mica, including bonded mica splittings on a support of paper or fabric (for example, micanite and micafolium).	37½% *ad val.*
68.16	Articles of stone or of other mineral substances (including articles of peat), not elsewhere specified or included :	
	A. Of carbon or graphite	62½% *ad val.*
	B. Other	75 % *ad val.*

CHAPTER 69

CERAMIC PRODUCTS

NOTES

1. The headings of this Chapter are to be taken to apply only to ceramic products which have been fired after shaping. Headings Nos. 69.04 to 69.14 are to be taken to apply only to such products other than heat-insulating goods and refractory goods.

2. This Chapter does not cover :

(*a*) Goods falling within Chapter 71 (for example, imitation jewellery) ;

(*b*) Cermets falling within heading No. 81.04 ;

(*c*) Electrical insulators (heading No. 85.25) or fittings of insulating material falling within heading No. 85.26 ;

(*d*) Artificial teeth (heading No. 90.19) ;

(*e*) Goods falling within Chapter 91 (for example, clocks and clock cases) ;

(*f*) Articles falling within Chapter 97 (for example, toys, games and sports requisites) ;

(*g*) Smoking pipes, buttons or other articles falling within Chapter 98 ; or

(*h*) Original statuary, collectors' pieces or antiques (Chapter 99).

Heading No.	Name of article	Rate of duty
1	2	3
	I. HEAT-INSULATING AND REFRACTORY GOODS	
69.01	Heat-insulating bricks, blocks, tiles and other heat-insulating goods of siliceous fossil meals or of similar siliceous earths (for example, kieselguhr, tripolite or diatomite)	37½% *ad val.*
69.02	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No. 69.01 ..	37½% *ad val.*
69.03	Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No. 69.01	37½% *ad val.*

1	2	3
	II. OTHER CERAMIC PRODUCTS	
69.04	Building bricks (including flooring blocks, support or filler tiles and the like)	92½% *ad val.*
69.05	Roofing tiles, chimney-pots, cowls, chimney-liners, cornices and other constructional goods, including architectural ornaments	92½% *ad val.*
69.06	Piping, conduits and guttering (including angles, bends and similar fittings)	92½% *ad val.*
69.07	Unglazed setts, flags and paving, hearth and wall tiles	92½% *ad val.*
69.08	Glazed setts, flags and paving, hearth and wall tiles	92½% *ad val.*
69.09	Laboratory, chemical or industrial wares ; troughs, tubs and similar receptacles of a kind used in agriculture ; pots, jars and similar articles of a kind commonly used for the conveyance or packing of goods ..	37½% *ad val.*
69.10	Sinks, wash basins, bidets, water closet pans, urinals, baths and like sanitary fixtures	92½% *ad val.*
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including, biscuit porcelain and parian)	92½% *ad val.*
69.12	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery	92½% *ad val.*
69.13	Statuettes and other ornaments, and articles of personal adornment, articles of furniture	125% *ad val.*
69.14	Other articles	125% *ad val.*

CHAPTER 70

GLASS AND GLASSWARE

NOTES

1. This Chapter does not cover :

(*a*) Ceramic enamels (heading No. 32.08) ;

(*b*) Goods falling within Chapter 71 (for example, imitation jewellery) ;

(*c*) Electrical insulators (heading No. 85.25) or fittings of insulating material falling within heading No. 85.26 ;

(*d*) Hypodermic syringes, artificial eyes, thermometers, barometers, hydrometers, optically worked optical elements or other articles falling within Chapter 90 ;

(*e*) Toys, games, sports requisites, Christmas tree ornaments or other articles falling within Chapter 97 (excluding glass eyes without mechanisms for dolls or for other articles of Chapter 97) ; or

(*f*) Buttons, fitted vacuum flasks, scent or similar sprays or other articles falling within Chapter 98.

2. The reference in heading No. 70.07 to " cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished " is to be taken to apply to articles made from such glass, provided they are not framed or fitted with other materials.

3. For the purposes of heading No. 70.20, the expression " wool " means :

(*a*) Mineral wools with a silica (SiO_2) content not less than 60% by weight;

(*b*) Mineral wools with a silica (SiO_2) content less than 60% but with an alkaline oxide (K_2O and/or Na_2O) content of more than 5% by weight or a boric oxide B_2O_3) content of more than 2% by weight.

Mineral wools which do not comply with the above specifications fall in heading No. 68.07.

4. For the purposes of the Nomenclature, the expression " glass " is to be taken to extend to fused quartz and fused silica.

Heading No.	Name of article	Rate of duty
1		3
70.01	Waste glass (cullet) ; glass in the mass (excluding optical glass) ..	25% *ad val.*
70.02	Glass of the variety known as " Enamel " Glass, in the mass, rods and tubes ..	37½% *ad val.*
70.03	Glass in balls, rods and tubes, unworked (not being optical glass) :	
	A. Glass tubings and rods for the manufacture of electric lamps ..	25% *ad val.*
	B. Neutral glass tubings for the manufacture of ampoules ..	Free.
	C. Other	30% *ad val.*
70.04	Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles	75% *ad val.*
70.05	Unworked drawn or blown glass (including flashed glass), in rectangles.	75% *ad val.*
70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked ..	75% *ad val.*
70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass), cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished ; multiple-walled insulating glass ; leaded lights and the like :	
	A. Leaded lights and the like	92½% *ad val.*
	B. Other	75% *ad val.*
70.08	Safety glass consisting of toughened or laminated glass, shaped or not :	
	A. For automotiove vehicles	100% *ad val.*
	B. Other	75% *ad val.*
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed :	
	A. For automotive vehicles	117½% *ad val.*
	B. Other	92½% *ad val.*
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods ; stoppers and other closures, of glass	50% *ad val.*
70.11	Glass envelopes (including bulbs and tubes) for electric lamps, electronic valves or the like	50% *ad val.*
70.12	Glass inners for vacuum flasks or for other vacuum vessels ..	62½% *ad val.*
70.13	Glassware (other than articles falling in heading No. 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	92½% *ad val.*

1	2	3
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass :	
	A. Glass globes and chimneys for hurricane lanterns	62½% *ad val.*
	B. Other	92½% *ad val.*
70.15	Clock and watch glasses and similar glasses (including glass of a kind used for sunglasses but excluding glass suitable for corrective lenses), curved, bent hollowed and the like ; glass spheres and segments of spheres, of a kind used for the manufacture of clock and watch glasses and the like	50% *ad val.*
70.16	Bricks, tiles, slabs, paving blocks, squares and other articles of pressed or moulded glass, of a kind commonly used in building ; multi-cellular glass in blocks, slabs, plates, panels and similar forms	92½% *ad val.*
70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated ; glass ampoules :	
	A. Glass ampoules	Free.
	B. Other	Free.
70.18	Optical glass and elements of optical glass, other than optically worked elements ; blanks for corrective spectacle lenses	25% *ad val.*
70.19	Glass beads, imitation pearls, imitation precious and semi-precious stones, fragments and chippings, and similar fancy or decorative glass smallwares, and articles of glassware made therefrom ; glass tubes and small glass plates whether or not on a backing, for mosaics and similar decorative purposes ; artificial eyes, of glass, including those for toys but excluding those for wear by humans ; ornaments and other fancy articles of lampworked glass; glass grains (Ballotini) :	
	A. Glass beads, imitation pearls, imitation precious stones, fragments and chippings, and similar fancy or decorative glass, smallwares and articles of glassware made therefrom, artificial eyes of glass, including those for toys but excluding those for wear by humans	50% *ad val.*
	B. Glass cubes and small glass plates, whether or not on a backing, for mosaics and similar decorative purposes	50% *ad val.*
	C. Other	92½% *ad val.*
70.20	Glass fibre (including wool), yarns, fabrics, and articles made therefrom :	
	A. Yarns	62½% *ad val.*
	B. Fabrics	92½% *ad val.*
	C. Other :	
	(*i*) Glass fibre and chopped strand glass fibre mat	62½% *ad val.*
	(*ii*) Other	92½% *ad val.*
70.21	Other articles of glass	92½% *ad val.*

SECTION XIV

PEARLS, PRECIOUS AND SEMI-PRECIOUS STONES, PRECIOUS METALS, ROLLED PRECIOUS METALS, AND ARTICLES THEREOF ; IMITATION JEWELLERY ; COIN

CHAPTER 71

PEARLS, PRECIOUS AND SEMI-PRECIOUS STONES, PRECIOUS METALS, ROLLED PRECIOUS METALS, AND ARTICLES THEREOF ; IMITATION JEWELLERY

NOTES

1. Subject to Note 1 (a) to Section VI and except as provided below, all articles consisting wholly or partly :

(*a*) Of pearls or of precious or semi-precious stones (natural, synthetic or reconstructed), or

(*b*) Of precious metal or of rolled precious metal, are to be classified within this Chapter and not within any other Chapter.

2. (a) Headings Nos. 71.12, 71.13 and 71.14 do not cover articles in which precious metal or rolled precious metal is present as minor constituents only, such as minor fittings or minor ornamentation (for example, monograms, ferrules and rims), and paragraph (b) of the foregoing Note does not apply to such articles.

(b) Heading No. 71.15 does not cover articles containing precious metal or rolled precious metal (other than as minor constituents).

3. This Chapter does not cover :

(*a*) Amalgams of precious metal, and colloidal precious metal (heading No. 28.49) ;

(*b*) Sterile surgical suture materials, dental fillings and other goods falling in Chapter 30 ;

(*c*) Goods falling in Chapter 32 (for example, lusters) ;

(*d*) Handbags and other articles falling within heading No. 42.02 or 42.03 ;

(*e*) Goods of heading No. 43.03 or 43.04 ;

(*f*) Goods falling within Section XI (textiles and textile articles) ;

(*g*) Footwear (Chapter 64) and headgear (Chapter 65) ;

(*h*) Umbrellas, walking-sticks and other articles falling within Chapter 66 ;

(*ij*) Fans and hand screens of heading No. 67.05 ;

(*k*) Coin (Chapter 72 or 99) ;

(*l*) Abrasive goods falling within headings Nos. 68.04, 68.05, 68.06 or Chapter 82, containing dust or powder of precious or semi-precious stones (natural or synthetic) ; goods of Chapter 82 with a working part of precious or semi-precious stones (natural, synthetic or reconstructed) on a support of base metal ; machinery, mechanical appliances and electrical goods, and parts thereof, falling within Section XVI, not being such articles wholly of precious or semi-precious stones (natural, synthetic or reconstructed) ;

(*m*) Goods falling within Chapter 90, 91 or 92 (scientific instruments, clocks and watches, or musical instruments) ;

(*n*) Arms or parts thereof (Chapter 93) ;

(*o*) Articles covered by Note 2 to Chapter 97 ;

(*p*) Articles falling within headings of Chapter 98 other than headings Nos. 98.01 and 98.12 ; or

(*q*) Original sculptures and statutory (heading No. 99.03), collectors pieces (heading No. 99.05) and antiques of an age exceeding one hundred years (heading No. 99.06), other than pearls or precious or semi-precious stones.

4. (*a*) The expression " pearls " is to be taken to include cultured pearls.

(*b*) The expression " precious metal " means silver, gold, platinum and other metals of the platinum group.

(*c*) The expression " other metals of the platinum group " means iridium, osmium, palladium, rhodium and ruthenium.

5. For the purposes of this Chapter, any alloy (including a sintered mixture) containing precious metal is to be treated as an alloy of precious metal if, and only if, any one precious metal constitutes as much as 2%, by weight, of the alloy. Alloys of precious metal are to be classified according to the following rules :

(*a*) An alloy containing 2% or more, by weight, of platinum is to be treated only as an alloy of platinum.

(*b*) An alloy containing 2%, or more, by weight, of gold but no platinum, or less than 2%, by weight, of platinum, is to be treated only as an alloy of gold.

(*c*) Other alloys containing 2% or more, by weight, of silver are to be treated as alloys of silver.

For the purposes of this Note, metals of the platinum group are to be regarded as one metal and are to be treated as though they were platinum.

6. Except where the context otherwise requires, any reference in these Notes or elsewhere in the Nomenclature to precious metal or to any particular precious metal is to be taken to include a reference to alloys treated as alloys of precious metal or of the particular metal in accordance with the rules in Note 5 above, but not to rolled precious metal or to base metal or non-metals coated or plated with precious metal.

7. The expression " rolled precious metal " means material made with a base of metal upon one or more surfaces of which there is affixed by soldering, brazing, welding, hot-rolling or similar mechanical means a covering of precious metal. The expression is also to be taken to cover base metal in laid with precious metal.

8. For the purposes of heading No. 71.12, the expression " articles of jewellery " means :

(*a*) Any small objects of personal adornment (gem-set or not) (for example, rings, bracelets, necklaces, brooches, ear-rings, watch-chains, fobs, pendants, tie-pins, cuff-links, dress-studs, religious or other medals and insignia) ; and

(*b*) Articles of personal use of a kind normally carried in the pocket, in the handbag or on the person (such as cigarette cases, powder boxes, chain purses, cachou boxes).

9. For the purposes of heading No. 71.13, the expression " articles of goldsmiths' or silversmiths ' wares" includes such articles as ornaments, tableware, toiletware, smokers' requisites and other articles of household, office or religious use.

10. For the purposes of heading No. 71.16, the expression "imitation jewellery" means articles of jewellery within the meaning of paragraph (a) of Note 8 above (but not including buttons, studs, cuff-links or other articles of heading No. 98.01 or dress combs, hair-slides or the like of heading No. 98.12), not incorporating pearls, precious or semi-precious stones (natural, synthetic or reconstructed) nor (except as plating or as minor constituents) precious metal or rolled precious metal, and composed :

(*a*) Wholly or partly of base metal, whether or not plated with precious metal ; or

(*b*) Of at least two materials (for example, wood and glass, bone and amber, mother of pearl and artificial plastic material), no account being taken of materials (for example, necklace strings) used only for assembly.

11. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
	I. PEARLS AND PRECIOUS AND SEMI-PRECIOUS STONES	
71.01	Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport) :	
	A. Unworked	37½% *ad val.*
	B. Worked but not set	50% *ad val.*
71.02	Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport) :	
	A. Industrial diamonds	50% *ad val.*
	B. Diamonds other than industrial diamonds :	
	(*i*) Not cut or otherwise worked	37½% *ad val.*
	(*ii*) Cut or otherwise worked	50% *ad val.*
	C. Other :	
	(*i*) Not cut or otherwise worked	37½% *ad val.*
	(*ii*) Cut or otherwise worked	50% *ad val.*
71.03	Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport) :	
	A. Industrial diamonds	50% *ad val.*
	B. Other :	
	(*i*) Not cut or otherwise worked	37½% *ad val.*
	(*ii*) Cut or otherwise worked	50% *ad val.*
71.04	Dust and powder of natural or synthetic precious or semi-precious stones	37½% *ad val.*
	II. PRECIOUS METALS AND ROLLED PRECIOUS METALS, UNWROUGHT, UNWORKED OR SEMI-MANUFACTURED	
71.05	Silver, including silver gilt and platinum-plated silver, unwrought or semi-manufactured :	
	A. Silver bullion and silver sheets and plates which have undergone no process of manufacture subsequent to rolling	Rs. 1.25 per oz.

1	2	3
	B. Other :	
	(i) Silver thread	92½% *ad val.*
	(ii) Other	125% *ad val.*
71.06	Rolled silver, unworked or semi-manufactured	62½% *ad val.*
71.07	Gold, including platinum-plated gold, unwrought or semi-manufactured :	
	A. Gold bullion and gold sheets and plates which have undergone no process of manufacture subsequent to rolling	Rs. 45 per tola of 180 grains fine.
	B. Other :	
	(i) Gold thread	92½% *ad val.*
	(ii) Other	125% *ad val.*
71.08	Rolled gold on base metal or silver, unworked or semi-manufactured ..	62½% *ad val.*
71.09	Platinum and other metals of the platinum group, unwrought or semi-manufactured	25% *ad val.*
71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, unworked or semi-manufactured	25% *ad val.*
71.11	Goldsmiths', silversmiths' and jewellers' sweepings, residues, lemels, and other waste and scrap, of precious metal	62½% *ad val.*
	III. JEWELLERY, GOLDSMITHS' AND SILVERSMITHS' WARES AND OTHER ARTICLES.	
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal	125% *ad val.*
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No. 71.12	125% *ad val.*
71.14	Other articles of precious metal or rolled precious metal :	
	A. Articles of personal use and adornment	125% *ad val.*
	B. Other	50% *ad val.*
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	125% *ad val.*
71.16	Imitation jewellery	125% *ad val.*

CHAPTER 72

COIN

NOTE

This Chapter does not cover collectors' pieces (heading No. 99.05)

Heading No.	Name of article	Rate of duty
1	2	3
72.01	Coin :	
	A. Base metal	50% *ad val.*
	B. Other	The rate applicable to the bullion of the metal of which the coin is made.

SECTION XV

BASE METALS AND ARTICLES OF BASE METAL

NOTES

1. This Section does not cover :

(*a*) Prepared paints, inks or other products with a basis of metallic flakes or powder falling within heading No. 32.08, 32.09, 32.10 or 32.13 ;

(*b*) Ferro-cerium or other pyrophoric alloys (heading No. 36.07) ;

(*c*) Headgear or parts thereof falling within heading No. 65.06 or 65.07 ;

(*d*) Umbrella frames and other goods of heading No. 66.03 ;

(*e*) Goods falling within Chapter 71 (for example, precious metal alloys, rolled precious metal and imitation jewellery) ;

(*f*) Articles falling within Section XVI (machinery, mechanical appliances and electrical goods) ;

(*g*) Assembled railway or tramway track (heading No. 86.10) or other articles falling within Section XVII (vehicles, ships and boats, aircraft) ;

(*h*) Instruments or apparatus of base metal of a kind falling within Section XVIII, including clock and watch springs ;

(*ij*) Lead shot prepared for ammunition (heading No. 93.07) or other articles falling within Section XIX (arms and ammunition) ;

(*k*) Articles falling within Chapter 94 (furniture and mattress supports) ;

(*l*) Hand sieves (heading No. 96.06) ;

(*m*) Articles falling within Chapter 97 (for example, toys, games and sports requisites) ; or

(*n*) Buttons, pens, pencil-holders, pen nibs or other articles falling within Chapter 98.

2. Throughout the Nomenclature, the expression "Parts of general use" means :

(*a*) Goods described in heading Nos. 73.20, 73.25, 73.29, 73.31 and 73.32 and similar goods of other base metals ;

(*b*) Springs and leaves for springs, of base metal, other than clock and watch springs (heading No. 91.11) ; and

(*c*) Goods described in headings Nos. 83.01 , 83.02, 83.07, 83.09, 83.12 and 83.14.

In Chapters 73 to 82 (but not in heading No. 73.29 or 74.13) references to parts of goods do not include references to Parts of general use as defined above.

Subject to the preceding paragraph and to the Note to Chapter 83, the headings in Chapters 73 to 81 are to be taken not to apply to any goods falling within Chapter 82 or 83.

3. Classification of alloys (other than ferro-alloys and master alloys as defined in Chapters 73 and 74) :

(*a*) An alloy of base metals containing more than 10% by weight, of nickel is to be classified as an alloy of nickel, except in the case of an alloy in which iron predominates by weight over each of the other metals.

(*b*) Any other alloy of base metals is to be classified as an alloy of the metal which predominates by weight over each of the other metals.

(*c*) An alloy composed of base metals of this Section and of elements not falling within this Section is to be treated as an alloy of base metals of this Section if the total weight or such metals equals or exceeds the total weight of the other elements present.

(*d*) In this Section the term " alloy " is to be taken to include sintered mixtures of metal powders and heterogeneous intimate mixtures obtained by melting (other than cermets).

4. Unless the context otherwise requires, any reference in this Nomenclature to a base metal is to be taken to include a reference to alloys which, by virtue of Note 3 above, are to be classified as alloys of that metal.

5. Classification of Composite Articles :

Except where the headings otherwise require, article of base metal (including articles of mixed materials treated as articles of base metal under the Interpretative Rules) containing two or more base metals are to be treated as articles of the base metal predominating by weight. For this purpose :

(*a*) Iron and steel, or different kinds of iron or steel, are regarded as one and the same metal,

(*b*) An alloy is regarded as being entirely composed of that metal as an alloy of which, by virtue of Note 3, it is classified, and

(*c*) A cermet of heading No. 81.04 is regarded as a single base metal.

6. For the purposes of this Section, the expression " waste and scrap " means waste and scrap metal fit only for the recovery of metal or for use in the manufacture of chemicals.

CHAPTER 73

IRON AND STEEL AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them :

(*a*) Pig iron and cast iron (heading No. 73.01) :

A ferrous product containing, by weight, 1.9% or more of carbon, and which may contain one or more of the following elements within the weight limits specified :

Less than 15% phosphorus,
not more than 8% silicon,
not more than 6% manganese,
not more than 30% chromium,
not more than 40% tungsten, and

an aggregate of not more than 10% of other alloy elements (for example, nickle, copper, aluminium, titanium, vanadium, molybdenum).

However, the ferrous alloys known as " non-distorting tool steels ", containing, by weight, 1.9% or more of carbon and having the characteristics of steel, are to be classified as steels, under their appropriate headings.

(*b*) Spiegeleisen (heading No. 73.01) :

A ferrous product containing, by weight, more than 6% but not more than 30% of manganese and otherwise conforming to the specification at (a) above.

(c) Ferro-alloys (heading No. 73.02) :

Alloys of iron (other than master alloys as defined in Note 1 to Chapter 74) which are not usefully malleable and are commonly used as raw material in the manufacture of ferrous metals and which contains, by weight, separately or together :

more than 8% of silicon, or
more than 30% of manganese, or
more than 30% of chromium, or
more than 40% of tungsten, or

a total of more than 10% of other alloy elements (aluminium, titanium vanadium, copper, molybdenum, niobium or other elements, subject to a maximum content of 10% in the case of copper), and which contain, by weight, not less than 4% in the case of ferro-alloys containing silicon, not less than 8% in the case of ferro-alloys containing manganese but no silicon or not less than 10% in other cases, of the element iron.

(d) Alloy steel (heading No. 73.15) :

Steel containing, by weight, one or more elements in the following proportions : more than 2% of manganese and silicon, taken together, or 2.00% or more of manganese, or

2.00% or more of silicon, or
0.50% or more of nickel, or
0.50% or more of chromium, or
0.10% or more of molybdenum, or
0.10% or more of vanadium, or
0.30% or more of tungsten, or
0.30% or more of cobalt, or
0.30% or more of aluminium, or
0.40% or more of copper, or
0.10% or more of lead, or
0.12% or more of phosphorus, or
0.10% or more of sulphur, or
0.20% or more of phosphorus and sulphur, taken together, or
0.10% or more of other elements, taken separately.

(e) High carbon steel (heading No. 73.15) :

Steel containing, by weight, not less than 0.60% of carbon and having a content, by weight, less than 0.04% of phosphorus and sulphur taken separately and less than 0.07% of these elements taken together.

(f) Puddled bars and pilings (heading No. 73.06) :

Products for rolling, forging or re-melting obtained either :

(i) By shingling balls of puddled iron to remove the slag arising during puddling, or

(ii) By roughly welding together by means of hot-rolling, packets of scrap iron or steel or puddled iron.

(g) Ingots (heading No. 73.06) :

Products for rolling or forging obtained by casting into moulds.

(h) Blooms and billets (heading No. 73.07) :

Semi-finished products of rectangular section, of a cross-sectional area exceeding, 1,225 mm^2 and of such dimensions that the thickness exceeds one quarter of the width.

(ij) Slabs and sheets bars (including tin plate bars) (heading No. 73.07) :

Semi-finished products of rectangular section, of a thickness not less than 6 mm, of a width not less than 150 mm and of such dimensions that the thickness does not exceed one quarter of the width.

(*k*) Coils for re-rolling (heading 73.08) :

Coiled semi-finished hot-rolled products, of rectangular section, not less than 1.5 mm thick, of a width exceeding 500 mm and of a weight of not less than 500 kg per piece.

(*l*) Universal plates (heading No. 73.09) :

Products of rectangular section, hot-rolled lengthwise in a closed box or universal mill, of a thickness exceeding 5 mm but not exceeding 100 mm, and of a width exceeding 150 mm but not exceeding 1,200 mm.

(*m*) Hoop and strip (heading No. 73.12) :

Rolled products with sheared or unsheared edges, of rectangular section, of a thickness not exceeding 6 mm, of a width not exceeding 500 mm and of such dimensions that the thickness does not exceed one tenth of the width, in straight strips, coils or flattened coils.

(*n*) Sheets and plates (heading No. 73.13) :

Rolled products [other than coils for re-rolling as defined in paragraph (k) above] of any thickness and, if in rectangles, of a width exceeding 500 mm.

Heading No. 73.13 is to be taken to apply, *inter alia*, to sheets or plates which have been cut to non-rectangular shape, perforated, corrugated, channelled, ribbed, polished or coated, provided that they do not thereby assume the character of articles of or products falling within other headings.

(*o*) Wire (heading No. 73.14) :

Cold-drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 13 mm. In the case of headings Nos. 73.26 and 73.27, however, the term" wire " is deemed to include rolled products of the same dimensions.

(*p*) Bars and rods (including wire rod) (heading No. 73.10) :

Products of solid section which do not conform to the entirety of any of the definitions (h), (ij), (k), (l), (m), (n) and (o) above, and which have cross-sections in the shape of circles, segments of circles, ovals, isosceles triangles, rectangles, hexagons, octagons or quadrilaterals with only two sides parallel and the other sides equal.

The expression also includes concrete reinforcing bars which apart from minor indentations, flanges, grooves or other deformations produced during the rolling process correspond to the above definition.

(*q*) Hollow mining drill steel (heading No. 73.10) :

Steel hollow bars of any cross-section, suitable for mining drills, of which the greatest external dimension exceeds 15 mm but does not exceed 50 mm, and of which the greatest internal dimension does not exceed one third of the greatest external dimension. Other steel hollow bars are to be treated as falling within heading No. 73.18.

(*r*) Angles, shapes and sections (heading No. 73.11) :

Products, other than those falling within heading No. 73.16, which do not conform to the entirety of any of the definitions (h), (ij), (k), (l), (m), (n) and (o) above, and which do not have cross-sections in the form of circles, segments of circles, ovals, isosceles triangles, rectangles, hexagons, octagons or quadrilaterals with only two sides parallel and the other two sides equal, and which are not hollow.

2. Headings Nos. 73.06 to 73.14 are to be taken not to apply to goods of alloy or high carbon steel (heading No. 73.15).

3. Iron and steel products of the kind described in any of the headings Nos. 73.06 to 73.15 inclusive, clad with another ferrous metal, are to be classified as products of the ferrous metal predominating by weight.

4. Iron obtained by electrolytic deposition is classified according to its form and dimensions with the corresponding products obtained by other processes.

5. The expression "high-pressure hydro-electric conduits of steel" (heading No. 73.19) means riveted, welded or seamless circular steel tubes or pipes and bends therefor, of an internal diameter exceeding 400 mm and of a wall thickness exceeding 10.5 mm.

Heading No.	Name of article	Rate of duty
1	2	3
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms :	
	A. Spiegeleisen	32½% *ad val.*
	B. Other	32½% *ad val.*
73.02	Ferro-alloys :	
	A. Ferro-manganese	32½% *ad val.*
	B. Other	32½% *ad val.*
73.03	Waste and scrap metal of iron or steel	32½% *ad val.*
73.04	Shot and angular grit, of iron or steel, whether or not graded ; wire pellets of iron or steel	37½% *ad val.*
73.05	Iron or steel powders ; sponge iron or steel :	
	A. Iron or steel powders	37½% *ad val.*
	B. Sponge iron or steel	37½% *ad val.*
73.06	Puddled bars and pilings ; ingots, blocks, lumps and similar forms, of iron or steel :	
	A. Puddled bars and pilings ; blocks, lumps and similar forms	37½% *ad val.*
	B. Ingots	37½% *ad val.*
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel ; pieces roughly shaped by forging, of iron or steel	37½% *ad val.*
73.08	Iron or steel coils for re-rolling	37½% *ad val.*
73.09	Universal plates of iron or steel :	
	A. Cast iron plates	62½% *ad val.*
	B. Other	25% *ad val.*
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made) ; hollow mining drill steel :	
	A. Wire rod	50% *ad val.*
	B. Other :	
	(i) Bars and rods of 3 " or less in diameter	62½% *ad val.*
	(ii) Other	25% *ad val.*

1	2	3
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished ; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements :	
	A. Angles, shapes and sections 80 mm or more ; sheet piling :	
	(i) Sheet piling	25% *ad val.*
	(ii) Angles upto 4-in. × 4-in. × 1/2-in. Tees upto 3-in. × 3-in. × 3/8-in. Flats upto 4-in. × 3/4-in. Joists and beams upto 7-1/2-in. × 4-in. and Channels upto 6-1/4-in. × 3-in. × 3/8-in.	62½% *ad val.*
	(iii) Other	25% *ad val.*
	B. Other	25% *ad val.*
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled :	
	A. Hoop and strip ; the following sizes :	
	(a) Cold-rolled 26 g × 1/2″.	62½% *ad val.*
	(b) Hot-rolled :	
	(i) 20 g × 3/4-in. (ii) 19 g × 3/4-in. (iii) 18 g × 3/4-in. (iv) 16 g × 1-in.	62½% *ad val.*
	B. Other	25% *ad val.*
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled :	
	A. Cast iron plates	62½% *ad val.*
	B. Other	25% *ad val.*
73.14	Iron or steel wire, whether or not coated, but not insulated :	
	A. Of 22 SWG or thicker than this	62½% *ad val.*
	B. Other	25% *ad val.*
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos. 73.06 to 73.14 :	
	A. Puddled bars and pilings ; ingots, blocks, lumps and similar forms	37½% *ad val.*
	B. Blooms and billets, slabs and sheet bars (including tinplate bars) ; pieces roughly shaped by forging ; coils for re-rolling ..	37½% *ad val.*
	C. Universal plates; sheets and plates, wire rod; other bars and rods	37½% *ad val.*
	D. Other	37½% *ad val.*
73.16	Railway and tramway track construction material of iron or steel the following ; rails, check-rails, switch blades, crossing (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for joining or fixing rails :	
	A. Rails	25% *ad val.*
	B. Other	25% *ad val.*
73.17	Tubes and pipes, of cast iron	62½% *ad val.*
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits :	
	A. G.I. pipes, tubes and blanks thereof	106% *ad val.*
	B. Other	62½% *ad val.*
73.19	High-pressure hydro-electric conduits of steel, whether or not reinforced	62½% *ad val.*

1	2	3
73.20	Tube and pipe fittings (for example, joints, elbows, unions and flanges), of iron or steel :	
	A. Tube and pipe fittings of iron or steel excluding of cast iron, of a kind used solely or principally with tubes or pipes of an internal diameter exceeding 6 inches or of an internal cross-sectional area exceeding that of a tube of an internal diameter of 6 inches ..	25% *ad val.*
	B. Other	62½% *ad val.*
73.21	Structures and parts of structures, (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame works, door and window frames, shutters, balustrades, pillars and columns), of iron or steel ; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	62½% *ad val.*
73.22	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	62½% *ad val.*
73.23	Casks, drums, cans, boxes and similar containers of sheet or plate iron or steel, of a description commonly used for the conveyance of packing of goods	62½% *ad val.*
73.24	Containers, of iron or steel, for compressed or liquefied gas ..	50% *ad val.*
73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables	50% *ad val.*
73.26	Barbed iron or steel wire ; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of kinds used for fencing, of iron or steel	62½% *ad val.*
73.27	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar material of iron or steel wire	62½% *ad val.*
73.28	Expanded metal, of iron or steel	62½ % *ad val.*
73.29	Chain and parts thereof, of iron or steel	62½% *ad val.*
73.30	Anchors and grapnels and parts thereof, of iron or steel	50% *ad val.*
73.31	Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper :	
	A. Protector studs ; round hob nails	25% *ad val.*
	B. Other	62½% *ad val.*
73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel ; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel	62½% *ad val.*
73.33	Needles for hand sewing (including embroidery), hand carpet needles and hand knitting needles, bodkins, crochet hooks, and the like, and embroidery stilettos, of iron or steel :	
	A. Blanks	50% *ad val.*
	B. Other	50% *ad val.*
73.34	Pins (excluding hatpins and other ornamental pins and drawing pins), hairpins and curling grips, of iron or steel :	
	A. Hairpins, curling pins and curling grips	92½% *ad val.*
	B. Other	50% *ad val.*
73.35	Springs and leaves for springs, of iron or steel :	
	A. Upholstery and matteress wire springs	75% *ad val.*
	B. Other : ..	
	(i) Chassis springs and leaves therefor for automotive vehicles.	87½% *ad val.*
	(ii) Other	25% *ad val.*

1	2	3
73.36	Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas rings, plate warmer with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel	100% *ad val.*
73.37	Boilers (excluding boilers of heading No. 84.01) and radiaters, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel	100% *ad val.*
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, or iron or steel :	
	A. Domestic articles and parts thereof :	
	(i) Aircraft galley and kitchen equipment	Free.
	(ii) Other	92½% *ad val.*
	B. Sanitary ware for indoor use and parts thereof :	
	(i) Stainless steel sinks and chromium plated sanitary wares ..	117½% *ad val*
	(ii) Other	92½% *ad val.*
73.39	Iron or steel wool ; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel	62½% *ad val.*
73.40	Other articles of iron or steel :	
	A. Castings or forgings in the rough state	25% *ad val.*
	B. Reservoirs etc., of a capacity of 300 litres or less	62½% *ad val.*
	C. Other :	
	(i) Steel balls of 1 mm diameter for the manufacture of ball point pens	25% *ad val.*
	(ii) Bead wires for cycle tyres	37½% *ad val.*
	(iii) Steel belt-lacing	62½% *ad val.*
	(iv) Other	92½% *ad val.*

CHAPTER 74

COPPER AND ARTICLES THEREOF

NOTES

1. For the purposes of heading No. 74.02, the expression " master alloys " means alloys (except copper phosphide (phosphor copper) containing more than 8% by weight of phosphorus) containing with other alloy elements more than 10% by weight of copper, not usefully malleable and commonly used as raw material in the manufacture of other alloys or as de-oxidants, de-sulphurising agents or for similar uses in the metallurgy of non-ferrous metals.

(Copper phosphide (phosphor copper) containing more than 8% by weight of phosphorus falls within heading No. 28.55 and not within this Chapter).

2. In this Chapter the following expressions have the meanings hereby assigned to them :—

(*a*) Wire (heading No. 74.03) :

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm, (*b*) Wrought bars, rods, angles, shapes and sections (heading No. 74.03):

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which, if they are flat, have a thickness exceeding one tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently worked after production (otherwise than by simple trimming or de-scaling), provided that they have not thereby assumed the character of articles or products falling within other headings.

Wire-bars and billets with their ends tapered or otherwise worked simply to facilitate their entry into machines for converting them into for example, wire-rod or tubes, are however to be taken to be unwrought copper of heading No. 74.01.

(*c*) Wrought plates, sheets and strip (heading No. 74.04) :

Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, and of which the thickness exceeds 0.15 mm but does not exceed one tenth of the width.

Heading No. 74.04 is to be taken to apply, *inter alia*, to such products, whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

3. Heading No. 74.07 is to be taken to apply, *inter alia*, to tubes, pipes and hollow bars which have been polished or coated, or which have been shaped or worked, such has bent, coiled, threaded, drilled, waisted, cone-shaped or finned. Heading No 74.08 is to be taken to apply, *inter alia*, to tube and pipe fittings which have been similarly treated.

Heading No.	Name of article	Rate of duty
1	2	3
74.01	Copper matte ; unwrought copper (refined or not) ; copper waste and scrap :	
	A. Copper matte	32½% *ad val.*
	B. Copper waste and scrap	32½% *ad val.*
	C. Unrefined copper	32½% *ad val.*
	D. Refined copper	32½% *ad val.*
74.02	Master alloys	32½% *ad val.*
74.03	Wrought bars, rods, angles, shapes and sections, of copper ; copper wire :	
	A. Copper wire	82½% *ad val.*
	B. Other	45% *ad val.*
74.04	Wrought plates, sheets and strip, of copper	45% *ad val.*
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm. ..	45% *ad val.*
74.06	Copper powders and flakes	45% *ad val*
74.07	Tubes and pipes and blanks therefor, of copper ; hollow bars of copper :	
	A. Tubes and pipes and blanks therefor, of copper ; hollow bars of copper excluding chromium plated or wholly of brass	45% *ad val.*
	B. Other	82½% *ad val.*

1	2	3
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper :	
	A. Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper excluding chromium plated or wholly of brass	45% *ad val.*
	B. Other	107½% *ad val.*
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas) of copper, of a capacity exceedings 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	62½% *ad val.*
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables ..	62½% *ad val.*
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire	62½% *ad val.*
74.12	Expanded metal, of copper	62½% *ad val.*
74.13	Chain and parts thereof, of copper	62½% *ad val.*
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper ..	62½% *ad val.*
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper ; rivets, cotters, cotter-pins, washers and spring washers, of copper	62½% *ad val.*
74.16	Springs, of copper	62½% *ad val.*
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper	92½% *ad val.*
74.18	Other articles of a kind commonly used for domestic purposes, sanitary-ware for indoor use, and parts of such articles and ware, of copper ..	92½% *ad val.*
74.19	Other articles of copper :	
	A. Needles and pins :	
	(i) Hairpins, curling pins and curling grips	92½% *ad val.*
	(ii) Other	62½% *ad val.*
	B. Doors, window frames and other structural parts	62½% *ad val.*
	C. Containers for the conveyance or packing of goods	62½% *ad val.*
	D. Other articles :	
	(i) Castings or forgings in the rough state	45% *ad val.*
	(*ii*) Other :	
	(*a*) Brass ferrules for lead pencils	62½% *ad val.*
	(*b*) Other	92½% *ad val.*

CHAPTER 75

NICKEL AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them :

(*a*) Wire (heading No. 75.02) :

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm.

(*b*) Wrought bars, rods, angles, shapes and sections (heading No. 75.02) :—

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which if they are flat, have a thickness exceeding one tenth of the width., Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or de-scaling).

(*c*) Wrought plates, sheets and strip (heading No. 75.03) :

Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, and of which the thickness does not exceed one tenth of the width.

Heading No. 75.03 is to be taken to apply, *inter alia,* to such products, whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

2. Heading No. 75.04 is to be taken to apply *inter alia,* to tubes, pipes, hollow bars and tube and pipe fittings which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

Heading No.	Name of article	Rate of duty
1	2	3
75.01	Nickel mattes, nickel speiss and other intermediate products of nickel metallurgy; unwrought nickel (excluding electro-plating anodes) ; nickel waste and scrap :	
	A. Nickel mattes, nickel speiss and other intermediate products of nickel metallurgy	12½% *ad val.*
	B. Nickel waste and scrap	12½% *ad val.*
	C. Unwrought nickel	12½% *ad val.*
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire :	
	A. Nickle wire	62½% *ad val.*
	B. Other	25% *ad val.*
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes	25% *ad val.*
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel	25% *ad val.*
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis	25% *ad val.*
75.06	Other articles of nickel :	
	A. Castings or forgings in the rough state	25% *ad val.*
	B. Other	92½% *ad val*

CHAPTER 76

ALUMINIUM AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them:

(*a*) Wire (heading No. 76.02):

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm.

(*b*) Wrought bars, rods, angles, shapes and sections (heading No. 76.02):

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which, if they are flat, have a thickness exceeding one tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or de-scaling).

(*c*) Wrought plates, sheets and strip (heading No. 76.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, and of which the thickness exceeds 0.20 mm but does not exceed one tenth of the width.

Heading No. 76.03 is to be taken to apply, *inter alia*, to such products, whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

2. Heading No. 76.06 is to be taken to apply, *inter alia*, to tubes, pipes and hollow bars which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned. Heading No. 76.07 is to be taken to apply, *inter alia*, to tube and pipe fittings which have been similarly treated.

Heading No.	Name of article	Rate of duty
1	2	3
76.01	Unwrought aluminium; aluminium waste and scrap:	
	A. Aluminium waste and scrap	12½% *ad val.*
	B. Unwrought aluminium	12½% *ad val.*
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire:	
	A. Aluminium wire	62½% *ad val.*
	B. Other	25% *ad val.*
76.03	Wrought plates sheets and strip, of aluminium	25% *ad val.*
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20mm:	
	A. Aluminium foil paper backed	62½% *ad val.*
	B. Other	25% *ad val.*
76.05	Aluminium powders and flakes	25% *ad val.*

1	2	3
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium	25% *ad val.*
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium	25% *ad val.*
76.08	Structures and parts of structures (for example, hangers and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frame-works, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes, and the like, prepared for use in structures, of aluminium ..	75% *ad val.*
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	62½% *ad val.*
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods	62½% *ad val.*
76.11	Containers, of aluminium, for compressed or liquified gas	62½% *ad val.*
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables ..	62½% *ad val.*
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire	62½% *ad val.*
76.14	Expanded metal, of aluminium	62½% *ad val.*
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium ..	92½% *ad val.*
76.16	Other articles of aluminium :	
	A. Nails, bolts, nuts, washers, rivets, screws and similar articles ..	62½% *ad val.*
	B. Needles and pins :	
	(*i*) Hair and curling pins and curling grips	92½% *ad val.*
	(*ii*) Other :	62½% *ad val.*
	C. Other articles :	
	(*i*) Castings or forgings of aluminium in the rough state ..	25% *ad val.*
	(*ii*) Other :	
	(*a*) Aluminium slugs, round, other than those falling within heading No. 76.03	62½% *ad val.*
	(*b*) Other	92½% *ad val.*

CHAPTER 77

MAGNESIUM AND BERYLLIUM AND ARTICLES THEREOF

Heading No.	Name of article	Rate of duty
1	2	3
77.01	Unwrought magnesium; magnesium waste (excluding shavings of uniform size) and scrap :	
	A. Magnesium waste and scrap	12½% *ad val.*
	B. Unwrought magnesium	12½% *ad val.*

1	2	3
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium :	
	A. Tubes and pipes; foil; hollow bars	25% *ad val.*
	B. Other	25% *ad val.*
77.03	Other articles of magnesium	92½% *ad val.*
77.04	Beryllium, unwrought or wrought, and articles of beryllium :	
	A. Unwrought; scrap and waste	12½% *ad val.*
	B. Wrought	25% *ad val.*
	C. Articles of beryllium	92½% *ad val.*

CHAPTER 78

LEAD AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them :

(*a*) Wire (heading No. 78.02) :

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm.

(*b*) Wrought bars, rods, angles, shapes and sections (heading No. 78.02) :

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which, if they are flat, have a thickness exceeding one tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or de-scaling).

(*c*) Wrought plates, sheets and strip (heading No. 78.03) :

Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, of which the thickness does not exceed one tenth of the width, and which are of a weight exceeding 1,700 g/m^2.

Heading No. 78.03 is to be taken to apply, *inter alia*, to such products, whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

2. Heading No. 78.05 is to be taken to apply, *inter alia*, to tubes, pipes, hollow bars and tube and pipe fittings which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, coneshaped or finned.

Heading No.	Name of article	Rate of duty
1	2	3
78.01	Unwrought lead (including argentiferous lead); lead waste and scrap :	
	A. Lead waste and scrap	$12\frac{1}{2}$% *ad val.*
	B. Unwrought lead	$12\frac{1}{2}$% *ad val.*
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire ..	25% *ad val.*
78.03	Wrought plates, sheets and strip, of lead	25% *ad val.*
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1,700 g/m^2; lead powders and flakes	25% *ad val.*
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead	25% *ad val.*
78.06	Other articles of lead :	
	A. Containers for transport and storage	$62\frac{1}{2}$% *ad val.*
	B. Sanitary articles and parts thereof	$92\frac{1}{2}$% *ad val.*
	C. Other articles :	
	(*i*) Castings or forgings in the rough state	25% *ad val.*
	(*ii*) Other	$92\frac{1}{2}$% *ad val.*

CHAPTER 79

ZINC AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them :

(*a*) Wire (heading No. 79.02) :

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm.

(*b*) Wrought bars, rods, angles, shapes and sections (heading No. 79.02) :

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which if they are flat, have a thickness exceeding one tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or de-scaling).

(*c*) Wrought plates, sheets and strip (heading No. 79.03) :

Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, and of which the thickness does not exceed one tenth of the width.

Heading No. 79.03 is to be taken to apply, *inter alia*, to such products whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

2. Heading No. 79.04 is to be taken to apply, *inter alia*, to tubes, pipes, hollow bars and tube and pipe fittings which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

Heading No.	Name of article	Rate of duty
1	2	3
9.01	Unwrought zinc; zinc waste and scrap :	
	A. Zinc waste and scrap	12½% *ad val.*
	B. Unwrought zinc	12½% *ad val.*
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	25% *ad val.*
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes :	
	A. Zinc foil	25% *ad val.*
	B. Zinc dust (blue powder)	25% *ad val.*
	C. Other	25% *ad val.*
79.04	Tubes and pipes and blanks therefor, of zinc ; hollow bars, and tube and pipe fittings (for example, joints elbows, sockets and flanges), of zinc	25% *ad val.*
97.05	Gutters, roof capping, skylight frames, and other fabricated building components of zinc	62½% *ad val.*
79.06	Other articles of zinc :	
	A. Nails, bolts, nuts, washers, rivets, screws, and similar articles	92½% *ad val.*
	B. Household utensils ; sanitary articles and parts thereof	92½% *ad val.*
	C. Containers for transport and storage	62½% *ad val.*
	D. Other articles :	
	(*i*) Castings or forgings in the rough state	25% *ad val.*
	(*ii*) Other	92½% *ad val.*

CHAPTER 80

TIN AND ARTICLES THEREOF

NOTES

1. In this Chapter the following expressions have the meanings hereby assigned to them :

(*a*) Wire (heading No. 80.02) :

Rolled, extruded or drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm.

(*b*) Wrought bars, rods, angles, shapes and sections (heading No. 80.02) :

Rolled, extruded, drawn or forged products of solid section, of which the maximum cross-sectional dimension exceeds 6 mm and which, if they are flat, have a thickness exceeding one tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or de-scaling).

(*c*) wrought plates, sheets and strip (heading No. 80.03) :

Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds 6 mm, of which the thickness does not exceed one tenth of the width, and which are of a weight exceeding I kg/m^2.

Heading No. 80.03 is to be taken to apply, *inter alia*, to such products, whether or not cut to shape, perforated, corrugated, ribbed, channelled, polished or coated, provided that they do not thereby assume the character of articles or of products falling within other headings.

2. Heading No. 80.05 is to be taken to apply, *inter alia*, to tubes, pipes, hollow bars and tube and pipe fittings, which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

Heading No.	Name of article	Rate of duty
1	2	3
80.01	Unwrought tin ; Tin waste and scrap :	
	A. Tin waste and scrap	12½% *ad val.*
	B. Unwrought tin	12½% *ad val.*
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire ..	25% *ad val.*
80.03	Wrought plates, sheets and strip, of tin	25% *ad val.*
80.04	Tin foil (whether or not embossed, cut to shape, perforated coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding I kg/m^2 ; tin powders and flakes	25% *ad val.*
80.05	Tubes and pipes and blanks therefor, of tin ; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin.	25% *ad val.*
80.06	Other articles of tin :	
	A. Castings or forgings in the rough state	25% *ad val.*
	B. Other	92½% *ad val.*

CHAPTER 81

OTHER BASE METALS EMPLOYED IN METALLURGY AND ARTICLES THEREOF

NOTES

Heading No. 81.04 is to be taken to apply only to the following base metals : bismuth, cadmium, cobalt, chromium, gallium, germanium, hafnium, indium, manganese, niobium (coloumbium, rhenium, antimony, titanium, thorium, thallium, uranium depleted in U 235, vanadium, zirconium. The heading also covers cobalt mattes, cobalt speiss and other intermediate products of cobalt-metallurgy, and cermets.

Heading No.	Name of article	Rate of duty
1	2	3
81.01	Tungsten (wolfram), unwrought or wrought, and articles thereof ..	25% *ad val.*
81.02	Molybdenum, unwrought or wrought, and articles thereof	25% *ad val.*
81.03	Tantalum, unwrought or wrought, and articles thereof	25% *ad val.*
81.04	Other base metals, unwrought or wrought, and articles thereof ; cermets, unwrought or wrought, and articles thereof	25% *ad val.*

CHAPTER 82

TOOLS, IMPLEMENTS, CUTLERY, SPOONS AND FORKS OF BASE METAL ; PARTS THEREOF

NOTES

1. Apart from blow lamps, portable forges, grinding wheels with frameworks, manicure and chiropody sets, and goods classified in headings Nos. 80.07 and 82.15, the present Chapter covers only articles with a blade, working edge, working surface or other working part of ;

(*a*) Base metal ;

(*b*) Metal carbides ;

(*c*) Precious or semi-precious stones (natural, synthetic or reconstructed) on a support of base metal ; or

(*d*) Abrasive materials on a support of base metal, provided that the articles have cutting teeth, flutes, grooves, or the like, of base metal, which retain their identity and function after the application of the abrasive.

2. Parts of base metal of the articles falling in the headings of this Chapter are to be classified with the articles of which they are parts, except parts separately specified as such and tool-holders for hand tools (heading No. 84.48). However, parts of general use as defined in Note 2 to Section XV are in all cases excluded from this Chapter.

Cutting plates for electric hair climppers are to be classified in heading No. 82.13 and blades and heads for electric shavers are to be classified in heading No. 82.11.

3. Sets (other than manicure or chiropody sets (heading No. 82.13) comprising an assortment of tools, cutlery, spoons, forks or other articles of a kind falling within the different headings of this Chapter, fitted in cabinets, boxes, cases or the like, are to be classified as that one of the constituent articles which is chargeable with the highest rate of duty.

4. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
82.01	Hand tools, the following : spades, shovels, picks, hoes, forks and rakes ; axes, bill hooks and similar hewing tools ; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry :	
	A. Hoes	62½% *ad val.*
	B. Other	25% *ad val.*
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades) :	
	A. Saws, hacksaw blades and handsaw blades	62½% *ad val.*
	B. Other	37½% *ad val.*
82.03	Hand tools, the following : pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like ; perforating punches ; pipe cutters ; spanners and wrenches (but not including tap wrenches) ; files and rasps	37½% *ad val.*
82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter ; blow lamps, anvils ; vices and clamps, other than accessories for, and parts of, machine tools ; portable forges ; grinding wheels with frameworks (hand or pedal operated) :	
	A. Grinding wheels with frameworks	62½% *ad val.*
	B. Other	37½% *ad val.*
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits :	
	A. Twist drills paralleled shank, of sizes 0.75 mm. to 15 mm	62½% *ad val.*
	B. Other	37½% *ad val.*
82.06	Knives and cutting blades, for machines or for mechanical appliances.	37½% *ad val.*
82.07	Tool-tips and plates, sticks and the like for tool-tips, unmounted, of sintered metal carbides (for example, carbides of tungsten, molybdenum or vanadium)	37½% *ad val.*
82.08	Coffee-mills, mincers, juice-extractors and other mechanical appliances, of a weight not exceeding 10 kg. and of a kind used for domestic purposes in the preparation, serving or conditioning of food or drink	125% *ad val.*
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No. 82.06 :	
	A. Table and kitchen knives	125% *ad val.*
	B. Other	62½% *ad val.*
82.10	Knife blades	62½% *ad val.*
82.11	Razors and razor blades (including razor blade blanks, whether or not in strips) :	
	A. Blanks of safety razor blades	30% *ad val.*
	B. Other	92½% *ad val.*
82.12	Scissors (including tailors shears), and blades therefor	92½% *ad val.*
82.13	Other articles of cutlery (for example, secateurs, hair clippers, butchers cleavers, paper knives) ; manicure and chiropody sets and appliances (including nail files)	125% *ad val.*
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware	125% *ad val.*
82.15	Handles of base metal for articles falling within heading No. 82.09, 82.13 or 82.14	62½% *ad val.*

CHAPTER 83

MISCELLANEOUS ARTICLES OF BASE METAL

NOTE

In this Chapter a reference to parts of articles is in no case to be taken as applying to cables, chains, nails, bolts, nuts, screws, springs or other articles of iron or steel of a kind described in heading No. 73.25, 73.29, 73.31, 73.32 or 73.35, nor to similar articles of other base metals (Chapters 74 to 81 inclusive).

Heading No.	Name of article	Rate of duty
1	2	3
83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal ; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal ; keys for any of the foregoing articles, of base metal	92½% *ad val.*
83.02	Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers) ; base metal hat-racks, hat-pegs, brackets and the like	92½% *ad val.*
83.03	Safes, strong-boxes, armoured or reinforced strong-rooms, strong-room linings and strong-room doors, and cash and deed boxes and the like, of base metal	75% *ad val.*
83.04	Filling cabinets, racks, sorting boxes, paper trays, paper rests and similar office equipment, of base metal, other than office furniture falling within heading No. 94.03	75% *ad val.*
83.05	Fittings for loose-leaf binders, for files or for stationery books, of base metal ; letter clips, paper clips, staples, indexing tags, and similar stationery goods, of base metal	75% *ad val.*
83.06	Statuettes and other ornaments of a kind used indoors, of base metal.	92½% *ad val.*
83.07	Lamps and lighting fittings, or base metal, and parts thereof, of base metal (excluding switches, electric lamp holders, electric lamps for vehicles, electric battery or magneto lamps, and other articles falling within Chapter 85 except Heading No. 85.22) :	
	A. Hurricane lanterns	62½% *ad val.*
	B. Other	92½% *ad val.*
83.08	Flexible tubing and piping, of base metal	25% *ad val.*
83.09	Clasps, frames with clasps for handbags and the like, buckles, buckle-clasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags, or other textile or leather goods ; tubular rivets and bifurcated rivets, of base metal ..	50% *ad val.*
83.10	Beads and spangles, of base metal	50% *ad val.*
83.11	Bells and gongs, non-electric, of base metal, and parts thereof of base metal	125% *ad val.*
83.12	Photograph, picture and similar frames, of base metal ; mirrors of base metal	125% *ad val.*
83.13	Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal	50% *ad val.*
83.14	Sign-plates, name-plates, numbers, letters and other signs of base metal.	125% *ad val.*
83.15	Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides ; wire and rods, of agglomerated base metal powder, used for metal spraying	50% *ad val.*

SECTION XVI

MACHINERY AND MECHANICAL APPLIANCE ; ELECTRICAL EQUIPMENT ; PARTS THEREOF

NOTES

1. This Section does not cover :

(*a*) Transmission, conveyor or elevator belts or belting, of artificial plastic material of Chapter 39, or of vulcanised rubber (heading No. 40.10) ; or other articles of a kind used on machinery, mechanical or electrical appliances, of unhardened vulcanised rubber (for example, washers) (heading No. 40.14) ;

(*b*) Articles of leather or of composition leather (heading No. 42.04) or of furskin (heading No. 43.03), of a kind used in machinery or mechanical appliances or for industrial purposes ;

(*c*) Bobins, spools, cops, cones, cores, reels and similar supports, of any material (for example, Chapter 39, 40, 44 or Section XV) ;

(*d*) Perforated cards of paper or paperboard for Jacquard or similar machines, falling within heading No. 48.21) ;

(*e*) Transmission, conveyor or elevator belts of textile material (heading No. 59.16) or other articles of textile material of a kind commonly used in machinery or plant (heading No. 59.17) ;

(*f*) Precious or semi-precious stones (natural, synthetic or reconstructed) of heading No. 71.02 or 71.03, or articles wholly of such stones of heading No. 71.15 ;

(*g*) Parts of general use, as defined in Note 2 to Section XV, of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07) ;

(*h*) Endless belts of metal wire or strip (Section XV) ;

(*ij*) Articles falling within Chapter 82 or 83 ;

(*k*) Vehicles, aircraft, ships or boats, of Section XVII ;

(*l*) Articles falling within Chapter 90 ;

(*m*) Clocks, watches and other articles falling within Chapter 91 ;

(*n*) Interchangeable tools of heading No. 82.05 and brushes of a kind used as parts of machines of heading No. 96.02 ; similar interchangeable tools are to be classified according to the constituent material of their working part (for example, in Chapter 40, 42, 45, or heading No. 68.04 or 69.09) ; or

(*o*) Articles falling within Chapter 97.

2. Subject to Note 1 to this Section, Note 1 to the Chapter 84 and to Note 1 to Chapter 85, parts of machines (not being parts of the articles described in headings Nos. 84.64, 85.23, 85.24, 85.25 and 85.27) are to be classified according to the following rules :

(*a*) Goods of a kind described in any of the headings of Chapter 84 and 85 (other than headings Nos. 84.65 and 85.28) are in all cases to be classified in their respective headings.

(*b*) Other parts, if suitable for use solely or principally with a particular kind of machine, or with a number of machines falling within the same heading (including a machine falling within heading No. 84.59 or

85.22) are to be classified with the machines of that kind. However, goods which are equally suitable for use principally with the goods of headings Nos. 85.13 and 85.15 are to be classified in heading No. 85.13.

(*c*) All other parts are to be classified in heading No. 84.65 or 85.28.

3. Unless the headings otherwise require, composite machines consisting of two or more machines fitted together to form a whole and other machines adopted for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function.

4. Motors and transmission, conveyor or elevator belts, for machinery or appliances to which they are fitted, or, if packed separately for convenience of transport, which are clearly intended to be fitted to or mounted on a common base with the machine or appliance with which they are imported, are to be classified under the same heading as such machinery or appliances.

NOTES

5. For the purposes of these, the expression "machine" means any machine, apparatus or appliance of a kind falling within Section XVI.

CHAPTER 84

BOILERS, MACHINERY AND MECHANICAL APPLIANCES ; PARTS THEREOF

NOTES

1. This Chapter does not cover :

(*a*) Millstones, grindstones and other articles falling within Chapter 68 ;

(*b*) Appliances and machinery (for example, pumps) and parts thereof, of ceramic material (Chapter 69) ;

(*c*) Laboratory glassware of heading No. 70.17 ; machinery and appliances and parts thereof, of glass (heading No. 70.20 or 70.21) ;

(*d*) Articles falling within heading No. 73.36 or 73.37 and similar articles of other base metals (Chapters 74 to 81) ; or

(*e*) Tools for working in the hand, of heading No. 85.05 or electro-mechanical domestic appliances of heading No. 85.06.

2. Subject to the operation of Notes 3 and 4 to Section XVI, a machine or appliance which answers to a description in one or more of the headings Nos. 84.04 to 84.21 and at the same time to a description in one or other of the headings Nos. 84.22 to 84.60, is to be classified under the appropriate heading of the former group and not the latter.

Heading No. 84.17 is, however, to be taken not to apply to

(*a*) Germination plant, incubators and brooders (heading No. 84.28) ;

(*b*) Grain dampening machines (heading No. 84.29)

(*c*) Diffusing apparatus for sugar juice extraction (heading No. 84.30) ;

(*d*) Machinery for the heat-treatment of textile yarns, fabrics or made-up textile articles (heading No. 84.40) ; or

(*e*) Machinery or plant, designed for a mechanical operation, in which a change of temperature, even if necessary, is subsidiary.

Heading No. 84.19 is to be taken not to apply to :

(*a*) Sewing machines for closing bags or similar containers (heading No. 84.41) ; or

(*b*) Office machinery of heading No. 84.54.

3. (A). For the purposes of heading No. 84.53, the expression "automatic data processing machines" means :

(*a*) Digital machines having storages capable of storing not only the processing program of programs and the data to be processed but also a program for translating the formal programming language in which the programs are written into machine language. These machines must have a main storage which is directly accessible for the execution of a program and which has a capacity at least sufficient to store those parts of the processing and translating programs and the data immediatley necessary for the current processing run. They must also be able themselves, on the basis of the instructions contained in the initial program, to modify, by logical decision, its execution during processing run ;

(*b*) Analogue machines capable of simulating mathematical models and comprising at least : analogue elements, control elements and programming elements ;

(*c*) Hybrid machines consisting of either a digital machine with analogue elements or an analogue machine with digital elements.

(B) Automatic data processing machines may be in the form of systems consisting of a variable number of separately-housed units. A unit is to be regarded as being a part of the complete system if it meets all the following conditions :

(*a*) it is connectable to the central processing unit either directly or through one or more other units ;

(*b*) it is specifically designed as part of such a system [it must, in particular, unless it is a power supply unit, be able to accept or deliver data in a form (code or signals) which can be used by the system].

Such units imported separately are also to be classified in heading No. 84.53.

4. Heading No. 84.62 is to be taken to apply, *inter alia*, to polished steel balls the maximum and minimum diameters of which do not differ from the nominal diameter by more than 1% or by more than 0.05 mm, whichever is less. Other balls are to be classified under heading No. 73.40.

5. A machine which is used for more than one purpose is, for the purpose of classification, to be treated as if its principal purpose were its sole purpose.

Subject to Note 2 to this Chapter and Note 3 to Section XVI, a machine whose principal purpose is not described in any heading or for which no one purpose is the principal purpose is, unless the context otherwise requires, to be classified in

Heading No. 84.59. Heading No. 84.59 is also to be taken to cover machine for making rope or cable (for example, stranding, twisting or cabling machines) from metal wire, textile yarn or any other material or from a combination of such materials.

Heading No.	Name of article	Rate of duty
1	2	3
84.01	Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam) ; super-heated water boilers :	
	A. Imported for the use of Pakistan International Airlines ..	Free.
	B. Other	20% *ad val.*
84.02	Auxiliary plant for use with boilers (for example, economisers, super-heaters, soot removers, gas recoverers and the like) ; condensers for vapour engines and power units	20% *ad val.*
84.03	Producer gas and water gas generators, with or without purifiers ; acetylene gas generators (water process) and similar gas generators, with or without purifiers	20% *ad val.*
84.04	Steam engines (including mobile engines, but not steam tractors falling within heading No. 87.01 or mechanically propelled road rollers) with self-contained boilers	20% *ad val.*
84.05	Steam and other vapour power units, not incorporating boilers ..	20% *ad val.*
84.06	Internal combustion piston engines :	
	A. Complete engines :	
	(*i*) for aircraft	17½% *ad val.*
	(*ii*) for automotive vehicles	The rate applicable to the vehicle in which the engine would be fitted.
	(*iii*) Other	
	(*a*) Horizontal slow speed oil engines up to and including 50 horse power and high speed oil engines up to and including 20 horse power	62½% *ad val.*
	(*b*) Other:	20% *ad val.*
	B. Parts of engines :	
	(*i*) for aircraft	17½% *ad val.*
	(*ii*) Other :	
	(*a*) Parts of horizontal slow speed oil engines up to and including 50 horse power and high speed oil engines up to and including 20 horse power	62½% *ad val.*
	(*b*) Parts of engines for automotive vehicles	92½% *ad val.*
	(*c*) Parts and accessories of tractors	10% *ad val.*
	(*d*) Other	20% *ad val.*
	C. Aircraft engines and Parts imported for the use of Pakistan International Airlines	Free.
84.07	Hydraulic engines and motors (including water wheels and water turbines)	20% *ad val.*
84.08	Other engines and motors :	
	A. Aircraft engines	17½% *ad val.*
	B. Gas turbines other than for aricraft	20% *ad val.*

1	2	3
	C. Aircraft engines and parts imported for the use of Pakistan International Airlines	Free.
	D. Other :	
	(*i*) Spring operated and weight-operated motors	62½% *ad val.*
	(*ii*) Other	20% *ad val.*
84.09	Mechanically propelled road rollers	20% *ad val.*
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices ; liquid elevators of bucket, chain, screw, band and similar kinds :	
	A. Fuel delivery pumps equipped with a measuring device and a self contained electric motor of the kind used in filling stations ; centrifugal pumps of flange connection suction and delivery sizes up to and including 8″×8″ (excluding pumps for automotive vehicles) and Deep Well turbine pumps having capacity range 1 cusec to 4 cusec water	62½% *ad val.*
	B. For automotive vehicles	87½% *ad val.*
	C. Other	20% *ad val.*
84.11	Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like :	
	A. Foot pumps and hand pumps for motor cars and cycles	67½% *ad val.*
	B. Compressors for refrigerators and airconditioners	45% *ad val.*
	C. Other	20% *ad val.*
84.12	Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air :	
	A. Requiring for their operation not more than 3 horsepower	150% *ad val.*
	B. Other	60% *ad val.*
84.13	Furnance burners for liquid fuel (atomisers), for pulverised solid fuel or for gas ; mechanical stokers, mechanical grates, mechanical ash dischargers and similar appliances	20% *ad val.*
84.14	Industrial and laboratory furnances and ovens, non-electric	20% a*ad val.*
84.15	Refrigerators and refrigerating equipment (electrical and other) :	
	A. Refrigerating equipment requiring for their operation not less than one-quarter of one horse power	37½% *ad val.*
	B. Refrigerators of a capacity not exceeding 10 cu. ft. and deep freezers of a capacity not exceeding 7 cu. ft. requiring for their operation less than ¼ H.P. ; parts such as are specially designed for use with such refrigerators or deep freezers	87½% *ad val.*
	C. Refrigerators of a capacity exceeding 10 cubic feet but not exceeding 15 cubic feet and other refrigerating equipment requiring for its operation less than one quarter of 1 horse power	150% *ad val.*
	D. Other	60% *ad val.*
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor	20% *ad val.*
84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilising, pasteurising, steaming, drying, evaporating, vapourising, condensing or cooling, not being machinery or plant of a kind used for domestic purposes ; instantaneous or storage water heaters, non-electrical :	
	A. Instantaneous and storage water heaters of a capacity not exceeding 4 and 20 gallons, respectively	150% *ad val.*
	B. Other	20% *ad val.*

1	2	3
84.18	Centrifuges; filtering and purifying machinery and apparatus (other than filter funnels, milk strainers and the like), for liquids or gases	
	A. Cream separators	20% *ad val.*
	B. Centrifugal laundey driers, requiring for their operation less than one horse power	117½% *ad val.*
	C. Parts of motor vehicles	92½% *ad val.*
	D. Other	20% *ad val.*
84.19	Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labelling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating beverages; dish washing machines:	
	A. Dish washing machines, electric, requiring for their operation not more than one-half of one horse power	150% *ad val.*
	B. Other	20% *ad val.*
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-Operated counting and checking machines; weighing machine weights of all kinds:	
	A. Weigh-bridges and automatic weighers (industrial)	20% *ad val.*
	B. Spring balances; household and shop scales; baby scales; personal weighing scales (coin operated or not); weight operated counting scales; portable or mobile platform type scales ..	62½% *ad val.*
	C. Other	92½% *ad val.*
84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines	20% *ad val.*
84.22	Lifting, handling, loading or unloading machinery, telphers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No. 84.23:	
	A. Passenger lifts and escalators and component parts and accessories thereof	62½% *ad val.*
	B. Portable jacks	67½% *ad val.*
	C. Other ..	20% *ad val.*
84.23	Excavating, levelling, tamping, boring and extracting machinery, stationery or mobile, for earth, minerals or ores (for example, mechanical shovels, coal-cutters, excavators, scrapers, levellers and bulldozers); pile-drivers; snow-ploughs, not self-propelled (including snow-plough attachments):	
	A. Mining machinery and component parts thereof	12½% *ad val.*
	B. Petroleum and gas-well drilling equipment and component parts thereof	12½% *ad val.*
	C. Other	20% *ad val.*

1	2	3
84.24	Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertiliser distributors) ; lawn and sports ground rollers :	
	A. Chaff cutters	62½ % *ad val.*
	B. Other	Free.
84.25	Harvesting and threshing machinery ; straw and fodder presses ; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread grain milling industry falling within reading No. 84.29)	Free.
84.26	Dairy machinery (including milking machines)	20% *ad val.*
84.27	Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like	20% *ad val.*
84.28	Other agricultural, horticultural, poultry-keeping and bee-keeing machinery ; germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders	Free.
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables	20% *ad val.*
84.30	Machinery, not falling within any other heading of this Chapter, of a kind used in the following food or drink industries : bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetables (including mincing or slicing machines), sugar manufacture or brewing :	
	A. Sugar manufacturing and refining machinery	12½ % *ad val.*
	B. Other	20% *ad val.*
84.31	Machinery for making or finishing cellulosic pulp, paper or paper-board	20% *ad val.*
84.32	Book-binding machinery, including book-sewing machnies	20% *ad val.*
84.33	Paper or paperboard cutting machines of all kinds ; other machinery for making up paper pulp, paper or paperboard	20% *ad val.*
84.34	Machinery, apparatus and accessories for type-founding or type-setting; machinery, other than the machine-tools of heading No. 84.45, 84.46 or 84.47, for preparing or working printing blocks, plates or cylinders ; printing type, impressed flongs and matrices, printing blocks, plates and cylinders ; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished) :	
	A. Printing type	12 paisa per lb.
	B. Other	20% *ad val.*
84.35	Other printing machinery ; machines for uses ancillary to printing	20% *ad val.*
84.36	Machines for extruding man-made textiles ; machines of a kind used for processing natural or man-made textile fibres ; textile spinning and twisting machines ; textile doubling, throwing and reeling (including weft-winding) machines :	
	A. Spinning frames	62½% *ad val.*
	B. Machines for carding, spinning and washing of wool	12½% *ad val.*
	C. Other	20% *ad val.*

1	2	3
84.37	Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net ; machines for preparing yarns for use on such machines, including warping and warp sizing machines :	
	A. Knitting machines ; textile looms	62½ *ad val.*
	B. Other	20% *ad val*
84.38	Auxiliary machinery for use with machines of heading No. 84.37 (for example, dobbies, jacquards, automatic stop motions and shuttle changing mechanisms) ; parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No. 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery neeles) :	
	A. Parts and accessories suitable for use with carding, spinning and washing machines of wool	12½ *ad val.*
	B. Healds ; reeds ; heald frames ; reaction and plain types shuttles ; traveller rings for spinning frams ; parts and accessories of knitting machines excluding hosiery needles	62½% *ad val.*
	C. Card clothing ; spinning and doubling rings and textile spindles	50 % *ad val.*
	D. Other	20 % *ad val.*
84.39	Machinery for the manufacture or finishing of felt in the piece or in shapes, including felt-hat making machines and hat-making blocks ..	20% *ad val.*
84.40	Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery) ; fabric folding, reeling or cutting machines ; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric or other support ; machines of a type used for printing a repetitive design, repetitive words or over all colour on textiles, leather wallpaper, wrapping paper, linoleum or other materials and engraved or etched plates, blocks or rollers therefor :	
	A. Washing and drying machines requiring for their operation less than 1 horse power	150% *ad val.*
	B. Other	20% *ad val.*
84.41	Sewing machines ; furniture specially designed for sewing machines ; sewing machine needles :	
	A. Sewing machines, electrically operated, requiring for their operation less than one-quarter of 1 horse power ; furniture specially designed for such sewing machines and needles therefor	75% *ad val.*
	B. Sewing machines worked by manual labour ; furniture specially designed for such sewing machines and needles therefor ..	62½ % *ad val*
	C. Other	20% *ad val.*
42	Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery) :	
	A. Boot and shoe manufacturing machinery	12½% *ad val.*
	B. Other	20% *ad val.*
84.43	Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy and in metal foundries	12½% *ad val.*

1	2	3
84.44	Rolling mills and rolls therefor :	
	A. Cast iron rolls of 36 inches or less in diameter	62½% *ad val.*
	B. Other	20% *ad val.*
84.45	Machine-tools for working metal or metal carbides, not being machinces falling within heading No. 84.49 or 84.50 :	
	A. Lathes (turning machines) :	
	(*i*) Of 3 feet to 15 feet bed length and height from 4 inches to 14 inches	62½% *ad val.*
	(*ii*) Turret, of spindle up to and including bar size one inch, centre height 4-1/2 inches and thread cutting and tapping capacity up to and including 1/2 inch	62½% *ad val.*
	(*iii*) Other	20% *ad val.*
	B. Drilling machines :	
	(*i*) Piller type up to and including 25 inches × 32 inches drilling capacity	62½% *ad val.*
	(*ii*) Upright type up to and including 2 inches drilling capacity	62½% *ad val.*
	(*iii*) Other :	
	(*a*) Having multiple speeds and reversible motors	20% *ad val.*
	(*b*) Other	62½% *ad val.*
	C. Shaping machines :	
	(*i*) Having a stroke not exceeding 18 inches	62½% *ad val.*
	(*ii*) Other	20% *ad val.*
	D. Sawing machines :	
	(*i*) High speed hacksaw machines for cutting diameter not exceeding 7 inches, of blade length 18 inches	62½% *ad val.*
	(*ii*) Other	20% *ad val.*
	E. Grinding machines :	
	(*i*) Bench grinding machines fitted with motors of 50 cycles having RPM over 3000	62½% *ad val.*
	(*ii*) Other	20% *ad val.*
	F. Honing, polishing, tapping and punching machines: .:	
	(i) Having multiple speeds and reversible motors	20% *ad val.*
	(*ii*) Other	62½% *ad val.*
	G. Power presses :	
	(*i*) Not exceeding 60 ton pressure	62½% *ad val.*
	(*ii*) Other	20% *ad val.*
	H. Other	20% *ad val.*
84.46	Machine-tools for working stone, ceramics, concrete, asbestos-cement and like mineral materials or for working glass in the cold, other than machines falling within heading No. 84.49	20% *ad val.*
84.47	Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No. 84.49	20% *ad val.*
84.48	Accessories and parts suitable for use solely or principally with the machines falling within headings Nos. 84.45 to 84.47, including work and	

1	2	3
	tool holders, self-opening dieheads, dividing heads and other appliances for machine-tools; tool holders for any type of tool or machine tool for working in the hand :	
	A. Accessories and parts of machine-tools of sub-head A(i), A(ii), B(i), B(ii), B(iii) (b), C(i), D(i), E(i), F(ii) and G(i) of heading No. 84.45	62½% ad val
	B. Other	20% *ad val.*
84.49	Tools for working in the hand, peneumatic or with self-contained non-electric motor	20% *ad val.*
84.50	Gas-operated welding, brazing, cutting and surface tempering appliances	20% *ad val.*
84.51	Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines :	
	A. Urdu and Bengali typewriters	Free.
	B. Other	37½% *ad val.*
84.52	Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device	37½% *ad val.*
84.53	Automatic data processing machines and units thereof ; magnetic or optical readers, machines for transcribing data on to data media in coded form and machines for processing such data, not elsewhere specified or included	37½% *ad val.*
84.54	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)	37½% *ad val.*
84.55	Parts and accessories (other than covers carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No. 84.51, 84.52, 84.53 or 84.54	37½% *ad val.*
84.56	Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form ; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form ; machines for forming foundry moulds of sand —	20% *ad val.*
84.57	Glass-working machines (other than machines for working glass in the cold) ; machines for assembling electric filament and discharge lamps and electronic and similar tubes and valves	20% *ad val.*
84.58	Automatic vending machines (for example, stamp, cigarette, chocolate and food machines), not being games of skill or chance	62½% *ad val.*
84.59	Machines and mechancial appliances, having individual functions, not falling within any other heading of this Chapter :	
	A. Nuclear Reactors	20% *ad val.*
	B. Other :	
	(*i*) Oil crushing and refining machinery and component parts thereof	12½% *ad val.*
	(*ii*) Other	20% *ad val.*
84.60	Moulding boxes for metal foundry ; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials	20% *ad val.*
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and ther mostatically controlled valves :	
	A. Sanitary or plumbing fittings	87½% *ad val.*
	B. Valves of a kind commonly used with pneumatic tyres and tubes.	67½% *ad val.*
	C. Other	20% *ad val.*

1	2	3
84.62	Ball, roller or needle roller bearings :	
	A. Ball and roller bearings over 2 inch bore (internal diameter) ...	12½% *ad val.*
	B. Other ...	20% *ad val.*
84.63	Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings :	
	A. Ball and roller bearings complete with pedestal or housing specially designed for use exclusively with power driven machinery ...	12½% *ad val.*
	B. Articles for automotive vehicles ...	92½% *ad val.*
	C. Other ...	20% *ad val.*
84.64	Gaskets and similar joints of metal sheeting combined with other material (for example, asbestos, felt and paperboard) or of laminated metal foil; sets or assortments of gaskets and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings :	
	A. For automotive vehicles ..	92½% *ad val.*
	B. Other ..	20% *ad val.*
84.65	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this Chapter. ..	20% *ad val.*

CHAPTER 85

ELECTRICAL MACHINERY AND EQUIPMENT ; PARTS THEREOF

NOTES

1. This chapter does not cover :
   - (*a*) Electrically warmed blankets, bed pads, foot-muffs and the like ; electrically warmed clothing, footwear and ear pads and other electrically warmed articles worn on or about the person ;
   - (*b*) Articles of glass of heading No. 70.11;
   - (*c*) Electrically heated furniture of Chapter 94.

2. Heading No. 85.01 is to be taken not to apply to goods described in heading No. 85.08, 85.09 or 85.21 other than metal tank mercury are rectifiers which remain classified in heading No. 85.01.

3. Heading No. 85.06 is to be taken to apply only to the following electro-mechanical machines to types commonly used for domestic purposes :
   - (*a*) vacuum cleaners, floor polishers, food grinders and mixers, fruit juice extractors and fans, of any weight ;
   - (*b*) Other machines provided the weight of such other machine does not exceed 20 kg.

The heading does not, however, apply to dish washing machines (heading No. 84.19), centrifugal and other clothes washing machines (heading No. 84.18 or 84.40), roller and other ironing machines (heading No. 84.16 or 84.40) sewing machines (heading No. 84.41) or to electro-thermic appliances (heading No. 85.12).

4. For the purposes of heading No. 85.19, "printed circuits" are to be taken to be circuits obtained by forming on an insulating base, by any printing process (for example, embossing, plating-up, etching), or by the "film circuit" technique, conductor elements, contacts or other printed components (for example, inductances resistors, capacitors) alone or inter-connected according to a pre-established pattern, other than elements which can produce, rectify, modulate or amplify an electrical signal (for example, semi-conductor elements).

The term "printed circuits" does not cover circuits combined with elements, other than those obtained during the printing process. Printed circuits may, however, be fitted with non-printed connecting elements.

Thin or thick film circuits comprising passive and active elements obtained during the same technological process are to be classified in heading 85.21.

5. For the purposes of heading No. 85.21.

(A) "Diodes, transistors and similar semi-conductor devices" are to be taken to be those devices the operation of which depends on variations in resistivity on the application of an electric field ;

(B) "Electronic microcircuits" are to be taken to be :

- (*a*) Microassemblies of the "fagot" module, moulded module, micro-module and similar types, consisting of discrete active or both active and passive miniaturised components which are combined and interconnected ;
- (*b*) Monolithic integrated circuits in which the circuit elements (diodes, transistors, resistors, capacitors, interconnections, etc.) are created in the mass (essentially) and on the surface of a semi-conductor material (doped silicon for example) and are inseparably associated ;
- (*c*) Hybrid integrated circuits in which passive and active elements, some obtained by thin-or thick-film technology (resistors, capacitors, inter-connections etc.), others by semi-conductor technology (diodes, transistors, monolithic lintegrated circuits, etc) are combined, to all intents and purposes indivisibly, on a single insulating substrate (glass, ceramic, etc). These circuits may also include miniaturised discrete components.

For the classification of the articles defined in this Note, heading No. 85.21 shall take precedence over any other heading in the Nomenclature which might cover them by reference to in particular, their functions.

Heading No.	Name of article	Rate of duty
1	2	3
85.01	Electrical goods of the following descriptions : generators, motors, convertors (rotary or static) transformers, rectifiers and rectifying apparatus, inductors :	
	A. Electric motors :	
	(*i*) Of size ½ h.p. to 60 h.p.	62½% *ad val.*
	(*ii*) Hollow shaft, for deep well turbine pumps of sizes ½ h.p. to 80 h.p.	62½% *ad val.*
	(*iii*) Other	20% *ad val.*
	B. Transformers :	
	(*i*) Instrument	20% *ad val.*

1	2	3
	(*ii*) Other :	
	(*a*) Rated for use at nominal system voltages up to and including 33000 and having a KVA rating not exceeding 1500	62½% *ad val.*
	(*b*) Other	20% *ad val.*
	C. Other :	
	(*i*) Ballast chokes of a kind used for fluorescent lighting	62½% *ad val.*
	(*ii*) Of a kind suitable for use or generally similar to those used in radio and television transmitters or receivers or audio-amplifiers	62½% *ad val.*
	(*iii*) Other :	
	(*a*) Electric generators, generating sets and component parts thereof	12½% *ad val.*
	(*b*) Other	20% *ad val.*
85.02	Electro-magnets ; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets ; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders ; electro-magnetic clutches and coupling ; electro-magnetic brakes ; electro-magnetic lifting heads	20% *ad val.*
85.03	Primary cells and primary batteries :	
	A. Zinc cups and brass caps used in the manufacture of primary cells and batteries	50% *ad val.*
	B. Other	92½% *ad val.*
85.04	Electric accumulators :	
	A. Batteries for Miner's safety lamps and covers and containers thereof	Free.
	B. Other	92½% *ad val.*
85.05	Tools for working in the hand, with self contained electric motor	20% *ad val.*
85.06	Electro-mechanical domestic appliances with self-contained electric motor	150% *ad val.*
85.07	Shavers and hair clippers, with self-contained electric motor	150% *ad val.*
85.08	Electric starting and ignition equipment for internal combustion engines (including ignition magnetos, magneto-dynamos, ignition coils, starter motors, sparking plugs and glow plugs) ; generators (dynamos and alternators) and cut-outs for use in conjunction with such engines :	
	A. Articles for use exclusively on aircraft engines imported for the use of Pakistan International Airlines	Free.
	B. For aircraft engines	17½% *ad val.*
	C. Other :	
	(*i*) For automotive vehicles excluding sparking plugs of 14 and 18 mm	92½% *ad val.*
	(*ii*) Sparking plugs of 14 and 18 mm	100% *ad val.*
	(*iii*) Other	20% *ad val.*
85.09	Electrical lighting and signalling equipment and electrical windscreen wipers, defrosters and demisters, for cycles or motor vehicles :	
	A. For automotive vehicles	100% *ad val.*
	B. Other	75% *ad val.*
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No. 85.09 :	
	A. Morse signalling lamps ; safety lamps ; examination lamps :	
	(*i*) Miners' safety lamps and parts	Free.
	(*ii*) Other	37½% *ad val.*
	B. Other	62½% *ad val.*

1	2	3
85.11	Industrial and laboratory electric furnaces, ovens and induction and dielectric heating equipment ; electric welding, brazing and soldering machines and apparatus and similar electric machines and apparatus for cutting :	
	A. Electrical welding machines of a capacity not exceeding 300 amps.	62½% *ad val.*
	B. Other	20% *ad val.*
85.12	Electric instantaneous or storage water heaters and immersion heaters ; electric soil heating apparatus and electric space heating apparatus ; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons ; electro-thermic domestic appliances ; electric heating resistors, other than those of carbon :	
	A. Electrical space heating and soil heating apparatus and electric heating resistors and parts thereof	20% *ad val.*
	B. Other	150% *ad val.*
85.13	Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)	87½% *ad val*
85.14	Microphones and stands therefor ; loudspeakers ; audio-frequency electric amplifiers :	
	A. Suitable for use solely in telephony	62½% *ad val.*
	B. Other	75% *ad val.*
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus ; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television camera ; radio navigational aid apparatus, radar apparatus and radio remote control apparatus :	
	A. Radio-broadcasting and television reception apparatus of the domestic or portable type (including sets designed or adapted for fitting to motor vehicles) :	
	(*i*) Television reception apparatus	37½% *ad val.*
	(*ii*) Other	92½% *ad val.*
	B. Other :	
	(*i*) Wireless and radio transmission and reception apparatus for installation in aircraft	Free.
	(*ii*) Articles imported by or on behalf of Government of Pakistan or a Provincial Government	20% *ad val.*
	(*iii*) Other	62½% *ad val.*
85.16	Electric traffic control equipment for railways, roads or inland water ways and equipment used for similar purposes in port installations or upon airfields	20% *ad val.*
85.17	Electric sound or visual signalling apparatus (such as bells , sirens, indicator panels, burglar and fire alarms), other than those of heading No. 85.09 or 85.16	62½% *ad val.*
85.18	Electrical capacitors, fixed or variable	20% *ad val.*
85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightening arrestors, surge suppressors, plugs, lamp-holders and junction boxes); resistors, fixed or variable (including potentiometers) other than heating resistors ; printed circuits ; switchboards (other than telephone · switchboards) and control panels :	
	A. Apparatus for making and breaking electrical circuits for the protection of electrical circuits or for making connection to or in electrical circuits :	
	(*i*) Switches :	
	(*a*) for pressure not exceeding 500 volts and having a rated current carrying capacity not exceeding 60 amperes ..	62½% *ad val.*
	(*b*) Other	20% *ad val.*]

1	2	3
	(*ii*) Fuses :	
	(*a*) for pressure not exceeding 500 volts and having a rated current carrying capacity not exceeding 60 amperes	62½% *ad val.*
	(*b*) Other	20% *ad val.*
	(*iii*) Switch gear, being switches incorporating protective devices :	
	(*a*) for pressure not exceeding 11,000 volts	62½% *ad val.*
	(*b*) Other	20% *ad val.*
	(*iv*) Other	20% *ad val.*
	B. Resistor, fixed or variable (including potentiometers) other than heating resistors	20% *ad val.*
	C. Switch board and control panels	20% *ad val.*
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps) ; arc lamps ; electrically ignited photographic flashbulbs :	
	A. Filament lamps ; discharge lamps (including fluorescent tubes) ; electrically ignited photographic flashbulbs :	
	(*i*) Two filament bulbs for miner's safety lamps	Free.
	(*ii*) Filament lamps 500 watts and above	20% *ad val.*
	(*iii*) Other	92½% *ad val.*
	B. Ultra-violet lamps ; infra-red lamps ; arc-lamps	20% *ad val.*
	C. Parts	20% *ad val.*
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes) ; photocells ; mounted piezo-electric crystals ; diodes, transistors and similar semi-conductor devices ; electronic microcircuits :	
	A. Cathode ray tubes	20% *ad val.*
	B. Mounted transistor and similar mounted devices incorporating semi-conductors	62½% *ad val.*
	C. Photocells	62½% *ad val.*
	D. Mounted piezo-electric crystals	20% *ad val.*
	E. Other	92½% *ad val.*
85.22	Electrical appliances and apparatus, having individual functions, not falling within any other heading of this Chapter :	
	A. Particle accelerators	20% *ad val.*
	B. Other	20% *ad val.*
85.23	Insulated (including enamelled or anodised) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors :	
	A. Wires and cables, any one core of which, not specially designed as a pilot core, has a sectional area of less than one-eightieth part of a square inch, but excluding winding wires	62½% *ad val.*
	B. Other :	
	(*i*) Enamelled copper wire	82½% *ad val.*
	(*ii*) Other	50% *ad val.*
85.24	Carbon brushes, arc-lamp carbons, battery carbons, carbon electrodes and other carbon articles of a kind used for electrical purposes :	
	A. Electrodes for miners' safety lamps	Free.
	B. For automotive vehicles	45% *ad val.*
	C. Other	20% *ad val.*
85.25	Insulators of any material :	
	A. Porcelain insulators	62½% *ad val.*
	B. Other	20% *ad val.*

1	2	3
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No. 85.25 :	
	A. Designed exclusively for use in circuits of over 30 amperes and at a pressure not exceeding 500 volts ; also those designed exclusively for use in circuits of any amperage provided the pressure exceeds 500 volts	20% *ad val.*
	B. Other	62½% *ad val.*
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material	20% *ad val.*
85.28	Electrical parts of machinery and apparatus not being goods falling within any of the proceeding headings of this Chapter	20% *ad val.*

SECTION XVII

VEHICLES, AIRCRAFT AND PARTS THEREOF; VESSELS AND CERTAIN ASSOCIATED TRANSPORT EQUIPMENT

NOTES

1. This section does not cover articles falling within heading No. 97.01, 97.03 or 97.08 or bobsleighs, toboggans and the like falling within heading No. 97.06.

2. Throughout this Section the expressions "parts" and " parts and accessories " are to be taken not to apply to the following articles whether or not they are identifiable as for the goods of this Section :

- (*a*) Joints, washers and the like (classified according to their constituent material or in heading No. 84.64) ;
- (*b*) Parts of general use as defined in Note 2 to Section XV of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07) ;
- (*c*) Articles falling within Chapter 82 (tools) ;
- (*d*) Articles falling within heading No. 83.11 ;
- (*e*) Machines and mechanical appliances and other articles falling within headings Nos. 84.01 to 84.59, 84.61 or 84.62 and parts of engines and motors falling within heading No. 84.63 ;
- (*f*) Electrical machinery and equipment (Chapter 85) ;
- (*g*) Articles falling within Chapter 90 ;
- (*h*) Clocks (Chapter 91) ;
- (*ij*) Arms (Chapter 93) ;
- (*k*) Brushes of a kind used as parts of vehicles (heading No. 96.02).

3. References in Chapters 86 to 88 to parts or accessories are to be taken not to apply to parts or accessories which are not suitable for use solely or principally with the articles of those Chapters. A part or accessory which answers to a description in two or more of the headings of those Chapters is to be classified under that heading which corresponds to the principal use of that part or accessory.

4. Flying machines specially constructed so that they can also be used as road vehicles are classified as flying machines. Amphibious motor vehicles are classified as motor vehicles.

5. Air-cushion vehicles are to be classified within this section with the vehicles to which they are most akin as follows :—

(*a*) In Chapter 86 if designed to travel on a guide-track (hover trains)

(*b*) In Chapter 87 if designed to travel over land or over both land and water ; and

(*c*) In Chapter 89 if designed to travel over water, whether or not able to land on beaches or landing stages or also able to travel over ice.

Parts and accessories of air-cushion vehicles are to be classified in the same way as those of vehicles falling within the heading in which the air-cushion vehicles are classified under the above provisions.

Hover train track fixtures and fittings are to be classified as railway track fixtures and fittings and traffic control equipment for hover train transport system as traffic control equipment for railways.

CHAPTER 86

RAILWAYS AND TRAMWAY LOCOMOTIVES, ROLLING-STOCK AND PARTS THEREOF ; RAILWAY AND TRAMWAY TRACK FIXTURES AND FITTINGS ; TRAFFIC SIGNALLING EQUIPMENT OF ALL KINDS (NOT ELECTRICALLY POWERED)

NOTES

1. This Chapter does not cover :

(*a*) Railway or tramway sleepers of wood or of concrete, or concrete guide-track sections for hovertrains (heading No. 44.07 or No. 68.11) ;

(*b*) Railway or tramway track construction material of iron or steel falling within heading No. 73.16 ; or

(*c*) Electrically powered signalling apparatus falling within heading No. 85.16.

2. Heading No. 86.09 is to be taken to apply, *inter alia*, to :

(*a*) Axles, wheels, metal tyres, hoops and hubs and other parts of wheels ;

(*b*) Frames, underframes and bogies ;

(*c*) Axle boxes ; brake gear ;

(*d*) Buffers for rolling-stock ; coupling gear and corridor connections ;
(*e*) Coach work.

3. Subject to the provisions of Note 1 above, heading No. 86.10 is to be taken to apply, *inter alia*, to :

(*a*) Assembled track, turntables, platform buffers, loading gauges ;

(*b*) Semaphores, mechanical signal discs, level crossing control gear, signal and point controls, whether or not they are fitted for electric lighting.

Heading No.	Name of articles	Rate of duty
1	2	3
86.01	Steam rail locomotives and tenders	25% *ad val.*
86.02	Electric rail locomotives, battery operated or powered from an external source of electricity	25% *ad val.*

1	2	3
86.03	Other rail locomotives	25% *ad val.*
86.04	Mechanically propelled railway and tramway coaches, vans and trucks, and mechanically propelled track inspection trolleys	25% *ad val.*
86.05	Railway and tramway passenger coaches and luggage vans ; hospital coaches, prison coaches, testing coaches, travelling post office coaches and other special purpose railway coaches	25% *ad val.*
86.06	Railway and tramway rolling-stock, the following : workshops, cranes and other service vehicles	25% *ad val.*
86.07	Railway and tramway goods vans, goods wagons and trucks ..	25% *ad val.*
86.08	Containers specially designed and equipped for carriage by one or more modes of transport	25% *ad val.*
86.09	Parts of railway and tramway locomotives and rolling stock	25% *ad val.*
86.10	Railway and tramway track fixtures and fittings ; mechanical equipment, not electrically powered, for signalling to or controlling road, rail or other vehicles, ships or aircraft ; parts of the foregoing fixtures, fittings or equipment	25% *ad val.*

CHAPTER 87

VEHICLES, OTHER THAN RAILWAY OR TRAMWAY ROLLING STOCK, AND PARTS THEREOF

NOTES

The headings of this Chapter are to be taken not to applyto railway or tramway rolling-stock designed solely for running on rails.

1. For the purposes of this Chapter, tractors are deemed to be vehicles constructed essentially for hauling or pushing another vehicle, appliance or load, whether or not they contain subsidiary provision for the transport, in connection with the main use of the tractor, of tools, seeds, fertilisers or other goods.

2. Motor chassis fitted with cabs are to be treated as falling within heading No. 87.02 and not within heading No. 87.04.

3. Headings Nos. 87.10 and 87.14 are to be taken not to apply to children's cycles which are not fitted with ball bearings nor to children's cycles which, though fitted with ball bearings, are not constructed in the normal forms of adults' cycles. Such children's cycles are to be treated as falling within heading No. 97.01.

Heading No.	Name of article	Rate of duty
1	2	3
87.01	Tractors (other than those falling within heading No. 87.07), whether or not fitted with power take offs, winches or pulleys :	
	A. Road tractors for semi-trailers	10% *ad val.*
	B. Other	10% *ad val.*

1	2	3
87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No. 87.09) :	
	A. New motor cars including station wagons built on car chassis, the value of which :	
	(*i*) does not exceed Rs. 18,000 per vehicle	92½% *ad val.*
	(*ii*) exceeds Rs. 18,000 but does not exceed Rs. 25,000 per vehicle	150% *ad val.*
	(*iii*) exceeds Rs. 25,000 but does not exceed Rs. 35,000 per vehicle	212½% *ad val.*
	(*iv*) exceeds Rs. 35,000 per vehicle	275% *ad val.*
	B. Used motor cars including station wagons built on car chassis	The rate applicable to the corresponding new vehicle of the same make.
	C. New motor cars the value of which does not exceed Rs. 18,000 falling within Sub-head " A(i) " of heading No 87.02 when imported in CKD condition	62½% *ad val.*
	D. Four wheel drive (4 × 4) vehicles and station wagons built on truck chassis ; vehicles of a type where goods and passengers space is inter-changeable or inter-adjustable and miniature buses	92½% *ad val.*
	E. Four wheel drive (4 × 4) vehicles such as " Jeep ", " Jeepsters ", "Land Rovers " and the like and four wheel drive (4 × 4) vehicles of a type where goods and passenger space is inter-changeable or inter-adjustable when imported in CKD condition	50% *ad val.*
	F. Station wagons built on truck chassis, miniature buses and vehicles of a type where goods and passenger space is inter-changeable or inter-adjustable when imported in CKD condition	50% *ad val.*
	G. Three wheeled vehicles or triwheelers having external and mechanical characteristics of a car falling within sub-head "H" of heading No. 87.02 when imported in CKD condition	37½% *ad val.*
	H. Other	50% *ad val.*
87.03	Special purpose motor lorries and vans (such as breakdown lorries, fire-engines, fire-escapes, road sweeper lorries, snow-ploughs, spraying lorries, crane lorries, searchlight lorries, mobile workshops and mobile radiological units), but not including the motor vehicles of heading No. 87.02	50% *ad val.*
87.04	Chassis fitted with engines, for the motor vehicles falling within heading No. 87.01, 87.02 or 87.03 :	
	A. Suitable for passenger vehicles including taxis but not including other public service vehicles	The duty applicable to the vehicle of which they form part.
	B. Other :	
	(*i*) For tractors	Ditto.
	(*ii*) For other vehicles	Ditto.
87.05	Bodies (including cabs), for the motor vehicles falling within heading No. 87.01, 87.02 or 87.03 :	

1	2	3
	A. Suitable for passenger vehicles including taxis but not including other public service vehicles	The duty applicable to the vehicles of which they form part.
	B. Other :	
	(*i*) for tractors	Ditto.
	(*ii*) for other vehicles	Ditto.
87.06	Parts and accessories of the motor vehicles falling within heading No. 87.01, 87.02 or 87.03 :	
	A. Parts and accessories of tractors	10% *ad val.*
	B. Parts and accessories of motor vehicles	92½% *ad val.*
	C. Other :	
	(*i*) Chassis-frames	The duty applicable to the vehicle of which they form part.
	(*ii*) Other	92½% *ad val.*
87.07	Works trucks, mechanically propelled, of the types used in factories, warehouses, dock areas or airports for short distance transport or handling of goods (for example, platform trucks, fork-lift trucks and straddle carriers) ; tractors of the type used on railway station platforms ; parts of the foregoing vehicles :	
	A. Parts of the foregoing vehicles	75% *ad val.*
	B. Other	50% *ad val.*
87.08	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	Free.
87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars, side-cars of all kinds :	
	A. Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars when imported in CKD condition	37½% *ad val.*
	B. Other	92½% *ad val.*
87.10	Cycles (including delivery tricycles) not motorised	75% *ad val.*
87.11	Invalid carriages, fitted with means of mechanical propulsion (motorised or not)	37½% *ad val.*
87.12	Parts and accessories of articles falling within heading No. 87.09, 87.10 or 87.11 :	
	A. Parts and accessories of motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, and of side-cars	92½% *ad val.*
	B. Parts and accessories of cycles, not motorised	62½% *ad val.*
	C. Other	37½% *ad val.*
87.13	Baby carriages and invalid carriages (other than motorised or otherwise mechanically propelled) and parts thereof :	
	A. Baby carriages and parts thereof	75% *ad val.*
	B. Invalid carriages and parts thereof	40% *ad val.*
87.14	Other vehicles (including trailers) not mechanically propelled, and parts thereof	62½% *ad val.*

CHAPTER 88

AIRCRAFT AND PARTS THEREOF; PARACHUTES; CATAPULTS AND SIMILAR AIRCRAFT LAUNCHING GEAR; GROUND FLYING TRAINERS

Heading No.	Name of article	Rate of duty
1	2	3
88.01	Balloons and airships	25% *ad val.*
88.02	Flying machines, gliders and kites; rotochutes :	
	A. Aeroplanes imported for the use of Pakistan International Airlines	Free.
	B. Aeroplanes	17½% *ad val.*
	C. Other	20% *ad val.*
88.03	Parts of goods falling in heading No. 88.01 or 88.02 :	
	A. Parts of aeroplanes imported for the use of Pakistan International Airlines	Free.
	B. Other	17½% *ad val.*
88.04	Parachutes and parts thereof and accessories thereto :	
	A. Imported by or on behalf of the Government of Pakistan or Flying Clubs recognised by the Government.	25% *ad val.*
	B. Unserviceable parachutes of silk or of man-made fibres ..	155% *ad val.*
	C. Other	The duty applicable to the material of which the article is made.
88.05	Catapults and similar aircraft launching gear; ground flying trainers; parts of any of the foregoing articles	25% *ad val.*

CHAPTER 89

SHIPS, BOATS AND FLOATING STRUCTURES

NOTE

A hull, unfinished or incomplete vessel, assembled, unassembled or disassembled, or a complete vessel unassembled or disassembled, is to be classified within heading No. 89.01 if it does not have the essential character of a vessel of a particular kind.

Heading No.	Name of article	Rate of duty
1	2	3
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter :	
	A. Combat vessels of all sizes including submarines and landing craft	Free.
	B. Other ships and boats :	
	(*i*) Lifeboats, imported separately for ocean going vessels ...	Free.
	(*ii*) Other	25% *ad val.*
89.02	Vessels specially designed for towing (tugs) or pushing other vessels ...	25% *ad val.*
89.03	Light-Vessels, fire-floats, dredgers of all kinds, floating cranes, and other vessels the navigability of which is subsidiary to their main function; floating docks	25% *ad val.*
89.04	Ships, boats and other vessels for breaking up	32½% *ad val.*
	[*N.B.*—Articles contained in any such vessel mentioned above not forming part of her necessary tackle (*e.g.* apparel, furniture, crockery, cutlery, and the like) shall be assessed to duty separately under the appropriate headings of the Tariff].	
89.05	Floating structures other than vessels (for example, coffer-dams, landing stages, buoys and beacons)	25% *ad val.*

SECTION XVIII

OPTICAL, PHOTOGRAPHIC, CINEMATOGRAPHIC, MEASURING, CHECKING, PRECISION, MEDICAL AND SURGICAL INSTRUMENTS AND APPARATUS ; CLOCKS AND WATCHES ; MUSICAL INSTRUMENTS ; SOUND RECORDERS AND REPRODUCERS ; TELEVISION IMAGE AND SOUND RECORDERS AND REPRODUCERS, MAGNETIC ; PARTS THEREOF

CHAPTER 90

OPTICAL, PHOTOGRAPHIC, CINEMATOGRAPHIC, MEASURING, CHECKING, PRECISION, MEDICAL AND SURGICAL INSTRUMENTS AND APPARATUS ; PARTS THEREOF

NOTES

1. This Chapter does not cover :

(*a*) Articles of a kind used in machines, appliances, instruments or apparatus, of unhardened vulcanised rubber, falling within heading No. 40.14, of leather or of composition leather, falling within heading No. 42.04, or of textile material (heading No. 59.17) ;

(*b*) Refractory goods of heading No. 69.03 ; laboratory, chemical or industrial wares of heading No. 69.09 ;

(*c*) Glass mirrors, not optically worked, falling within heading No. 70.09, and mirrors of base metal or of precious metal, not being optical elements, falling within heading No. 83.12 or Chapter 71 ;

(*d*) Goods falling within heading No. 70.07, 70.11, 70.14, 70.15, 70.17 or 70.18 ;

(*e*) Parts of general use, as defined in Note 2 to Section XV, of base metal (Section XV) or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07) ;

(*f*) Pumps incorporating measuring devices, of heading No. 84.10 ; weight-operated counting and checking machinery, and separately imported weights for balances (heading No. 84.20) ; lifting and handling machinery of heading No. 84.22 ; fittings for adjusting work or tools on machine-tools, of heading No. 84.48, including fittings with optical devices for reading the scale (for example, "optical" dividing heads) but not those which are in themselves essentially optical instruments (for example, alignment telescopes) ; valves and other appliances of heading No. 84.61 ;

(*g*) Search lights and spot lights, of a kind used on motor vehicles, of heading No. 85.09, and radio navigational aid or radar apparatus of heading No. 85.15 ;

(*h*) Cinematographic sound recorders, reproducers and re-recorders, operating solely by a magnetic process (heading No. 92.11) ; magnetic sound-heads (heading No. 92.13) ;

(*ij*) Articles of Chapter 97 ;

(*k*) Capacity measures, which are to be classified according to the material of which they are made ; or

(*l*) Spools, reels or similar supports (which are to be classified according to their constituent material, for example, in heading No. 39.07 or Section XV)

2. Subject to Note 1 above, parts or accessories which are suitable for use solely or principally with machines, appliances, instuments or apparatus falling within any heading of this Chapter are to be classified as follows :

(*a*) Parts or accessories constituting in themselves machines, appliances, instruments or apparatus (including optical elements of heading No. 90.01 or 90.02) of any particular heading of the present Chapter or of Chapters 84, 85 or 91 (other than headings Nos. 84.65 and 85.28) are to be classified in that heading.

(*b*) Other parts or accessories are to be classified in heading No. 90.29 if they answer to the terms of that heading ; otherwise they are to be classified in the heading appropriate to the machine, appliance, instrument or apparatus itself.

3. Heading No. 90.05 is to be taken not to apply to astronomical telescopes of a kind unsuitable for terrestrial observation (heading No. 90.06), or to telescopic sights for fitting to firearms, periscopic telescopes for fitting to submarines or tanks, or to telescopes for machines, appliances, instruments or apparatus of this Chapter ; such telescopic sights and telescopes are to be classified in heading No. 90.13.

4. Measuring or checking optical instruments, appliances or machines which but for this Note, could be classified both in heading No. 90.13 and in heading No. 90.16, are to be classified in heading No. 90.16.

5. Heading No. 90.28 is to be taken to apply, and apply only, to :

(*a*) Instruments or apparatus for measuring or checking electrical quantities ;

(*b*) Machines, appliances, instruments or apparatus of a kind described in heading No. 90.14, 90.15, 90.16, 90.22, 90.23, 90.24, 90.25 or 90.27 (other than stroboscopes), the operation of which depends on an electrical phenomenon which varies according to the factor to be ascertained or automatically controlled ;

(*c*) Instruments or apparatus for measuring or detecting alpha, beta, gamma, **X-ray**, Cosmic or similar radiations ; and

(*d*) Automatic regulators of electrical quantities, and instruments or apparatus for automatically controlling non-electrial quantities the operation of which depends on an electrical phenomenon varying according to the factor to be controlled.

6. Cases, boxes and similar containers imported, with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
90.01	Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked ; sheets or plates, of polarising material	37½% *ad val.*
90.02	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	37½% *ad val*
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like :	
	A. Of precious metals or rolled precious metals	125% *ad val.*
	B. Of other materials	50% *ad val.*

1	2	3
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other :	
	A. Of precious metals or rolled precious metals	125% *ad val.*
	B. Other	50% *ad val.*
90.05	Refracting telescopes (monocular and binocular), prismatic or not :	
	A. Binoculars	50% *ad val.*
	B. Other	Free.
90.06	Astronomical instruments (for example, reflecting telescopes, transit instruments and equatorial telescopes), and mountings therefor, but not including instruments for radio-astronomy	Free.
90.07	Photographic cameras ; photographic flashlight apparatus	92½% *ad val*
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers ; any combination of these articles :	
	A. Cinematographic projectors and sound recorders for films of a width of over 16 mm	12½% *ad val.*
	B. For film of a width of 16 mm or less	92½% *ad val.*
	C. Other	62½% *ad val.*
90.09	Image projectors (other than cinematographic projectors) ; photographic (except cinematographic) enlargers and reducers	92½% *ad val.*
90.10	Apparatus and equipment of a kind used in photographic or cinematographic laboratories, not falling within any other heading in this Chapter ; photocopying apparatus (whether incorporating an optical system or of the contact-type) and thermo-copying apparatus; screens for projectors	62½% *ad val.*
90.11	Microscopes and diffraction apparatus, electron and proton	Free.
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image	Free.
90.13	Optical appliances and instruments (but not including lighting appliances other than search-Lights or spotlights), not falling within any other heading of this Chapter	Free.
90.14	Surveying (including photogrammetrical surveying), hydrographic, navigational, meteorological, hydrological and geophysical instruments ; compasses ; rangefinders	Free.
90.15	Balances of a sensitivity of 5 cg. or better, with or without their weights.	Free.
90.16	Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like ; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines) ; profile projectors :	
	A. Geometry boxes	62½% *ad val.*
	B. Other	Free.
90.17	Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments) :	
	A. Electro-medical apparatus	25% *ad val.*

1	2	3
	B. Other :	
	(*a*) of metal :	
	(*i*) Hypodermic and surgical needles ; cataract knives ; scalpel blades ; hypodermic syringes	25% *ad val.*
	(*ii*) Other	50% *ad val.*
	(*b*) Other :	
	(*i*) Blood collecting sets with ACD	Free.
	(*ii*) Other	25% *ad val.*
90.18	Mechano-therapy appliances ; massage apparatus ; psychological aptitude-testing apparatus ; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus ; breathing appliances (including gas masks and similar respirators) :	
	A. Gas masks and similar respirators	Free.
	B. Other	30% *ad val.*
90.19	Orthopaedic appliances, surgical belts, trusses and the like ; splints and other fracture appliances, artificial limbs, eyes, teeth and other artificial parts of the body ; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability :	
	A. Hearing aids	Free.
	B. Other :	
	(*i*) Artificial limbs and parts thereof	Free.
	(*ii*) Other	25% *ad val.*
90.20	Apparatus based on the use of X-rays or of the radiations from radioactive substances (including radiography and radio therapy apparatus); X-ray generators ; X-ray tubes ; X-ray screens ; X-ray high tension generators ; X-ray control panels and desks ; X-ray examination or treatment tables, chairs and the like	Free.
90.21	Instruments, apparatus or models, designed solely for demonstrational purposes (for example, in education or exhibition), unsuitable for other uses	Free.
90.22	Machines and appliances for testing mechanically the hardness, strength, compressibility, elasticity and the like properties of industrial materials (for example, metals, wood, textiles, paper or plastics)	Free.
90.23	Hydrometers and similar instruments ; thermometers, pyrometers, barometers, hygrometers, psychrometers, recording or not ; any combination of these instruments	Free.
90.24	Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats. level gauges, flow meters, heat meters, automatic over-draught regulators) not being articles falling within heading No. 90.14	Free.
90.25	Instruments and apparatus for physical or chemical analysis (such as polarimeters, refractometers, spectrometers, gas analysis apparatus) ; instruments and apparatus for measuring or checking viscosity, porosity expansion, surface tension or the like (such as viscometers, porosimeters expansion meters) ; instruments and apparatus for measuring or checking quantities of heat, light or sound such as photometers (including exposuremeters, calorimeters) ; microtomes	Free.

1	2	3
90.26	Gas, liquid and electricity supply or production meters ; calibrating meters therefor :	
	A. Electricity supply meters :	
	(*i*) For a voltage upto and including 440 volts	62½% *ad val.*
	(*ii*) Other	25% *ad val.*
	B. Other :	
	(*i*) Water meters	62½% *ad val.*
	(*ii*) Other	25% *ad val.*
90.27	Revolution counters, production counters, taximeters, mileometers, pedometers and the like, speed indicators (including magnetic speed indicators) and tachometers (other than articles falling within heading No. 90.14) : stroboscopes :	
	A. Mileometers, revolution counters and speed indicators suitable for use on motor vehicles	87½% *ad val.*
	B. Taximeters and pedometers..	62½% *ad val.*
	C. Other	25% *ad val.*
90.28	Electrical measuring, checking, analysing or automatically controlling instruments and apparatus	Free.
90.29	Parts or accessories suitable for use solely or principally with one or more of the articles falling within heading No. 90.23, 90.24, 90.26, 90.27 or 90.28	The rate applicable to the articles of which goods are parts or accessories.

CHAPTER 91

CLOCKS AND WATCHES AND PARTS THEREOF

NOTES

1. For the purposes of headings Nos. 91.02 and 91.07, the expression " watch movements " means movement regulated by a balance-wheel and hair-spring or by any other system capable of determining intervals of time, not exceeding 12 mm in thickness when measured with the plate, the bridges and any additional outer plates.

2. Headings Nos. 91.07 and 91.08 are to be taken not to apply to spring-operated or weight-operated motors not fitted, nor adapted to be fitted, with escapements (heading No. 84.08).

3. This Chapter does not cover parts of general use as defined in Note 2 to Section XV, of base metal (Section XV), nor similar goods of artificial plastic materials (which are generally classified in heading No. 39.07). The Chapter also excludes weights, clock or watch glasses, watch chains or straps, parts of electrical equipment, ball bearings or bearing balls. Clock and watch springs are to be classified as clock or watch parts (heading No. 91.11).

4. Except as provided in Notes 2 and 3, movements and other parts suitable for use both in clocks or watches and in other articles (for example, precision instruments) are to be taken as falling within this Chapter and not within any other Chapter.

5. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
91.01	Pocket-watches, wrist-watches and other watches, including stop-watches :	
	A. Watches specially designed for the use of the blind	Free.
	B. Other	75% *ad val.*
91.02	Clocks with watch movements (excluding clocks of heading No. 91.03) :	
	A. Of c & f value up to Rs. 100 per piece	92½% *ad val.*
	B. Other	125% *ad val.*
91.03	Instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels :	
	A. Instrument panel clocks and clocks of a similar type for aircraft.	25% *ad val.*
	B. Other	92½% *ad val.*
91.04	Other clocks :	
	A. Of c & f value upto Rs. 100 per piece	92½% *ad val.*
	B. Other	125% *ad val.*
91.05	Time of day recording apparatus ; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time ..	62½% *ad val.*
91.06	Time switches with clock or watch movement (including secondary movement) or with synchronous motor	62½% *ad val.*
91.07	Watch movements (including stop-watch movements) assembled ..	50% *ad val.*
91.08	Clock movements, assembled :	
	A. Movements suitable for articles capable of indicating the time of day	62½% *ad val.*
	B. Other movements	50% *ad val.*
91.09	Watch cases and parts of watch cases	92½% *ad val.*
91.10	Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof :	
	A. For clocks	92½% *ad val.*
	B. Other	50% *ad val.*
91.11	Other clock and watch parts	62½% *ad val.*

CHAPTER 92

MUSICAL INSTRUMENTS ; SOUND RECORDERS AND REPRODUCERS; TELEVISION IMAGE AND SOUND RECORDERS AND REPRODUCERS, MAGNETIC ; PARTS AND ACCESSORIES OF SUCH ARTICLES

NOTES

1. This Chapter does not cover :

Film wholly or partly sensitised for photographic or photo-electric recording or such film exposed, whether or not developed (Chapter 37) ;

(*b*) Parts of general use, as defined in Note 2 to Section XV, of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07);

(*c*) Microphones, amplifiers, loud-speakers, head-phones, switches, stroboscopes and other accessory instruments, apparatus or equipment falling within Chapter 85 or 90, for use with but not incorporated in or housed in the same cabinet as instruments of the present Chapter; sound recorders or reproducers combined with a radio or television receiver (heading No. 85.15);

(*d*) Brushes (for cleaning musical instruments) falling within heading No. 96.02;

(*e*) Toy instruments (heading No. 97.03);

(*f*) Collectors' pieces or antiques (heading No. 99.05 or 99.06); or

(*g*) Spools, reels or similar supports (which are to be classified according to their constituent material, for example in heading No. 39.07 or Section XV).

2. Bows and sticks and similar devices used in playing the musical instruments of headings Nos. 92.02 and 92.06 imported with such instruments in numbers normal thereto and clearly intended for use therewith, are to be classified in the same heading as the relative instruments.

Perforated music rolls (heading No. 92.10) and gramophone records and the like (heading No. 92.12) imported with an instrument are to be treated as separate articles and not as forming a part of such instrument.

3. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
92.01	Pianos (including automatic pianos, whether or not with key-boards); harpsichords and other keyboard stringed instruments; harps but not including aeolian harps	92½% *ad val.*
92.02	Other string musical instruments	92½% *ad val.*
92.03	Pipe and reed organs, including harmoniums and the like	92½% *ad val.*
92.04	Accordions concertinas and similar musical instruments; mouth organs.	92½% *ad val.*
92.05	Other wind musical instruments	92½% *ad val.*
92.06	Percussion musical instruments (for example, drums, xylophones, cymbals, castanets)	92½% *ad val.*
92.07	Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)	92½% *ad val.*
92.08	Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouth-blown sound signalling instruments (for example, whistle and boatswains' pipes)	92½% *ad val.*
92.09	Musical instrument strings	92½% *ad val.*

1	2	3
92.10	Parts and accessories of musical instruments (other than strings), including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds	92½% *ad val.*
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including recordplayers and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic :	
	A. Dictaphones and other sound recorders and reproducers for office use	37½% *ad val.*
	B. Other	117½% *ad val.*
92.12	Gramophone records and other sound or similar recordings; materices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording :	
	A. Film for mechanical sound recording; record discs and cylinders for dictaphones and other sound recorders for office use :	
	(*i*) Magnetic film used in the film industry	five paisa per linear foot.
	(*ii*) Record discs and cylinders, for dictaphones and other sound recorders for office use	37½% *ad val.*
	(*iii*) Other	50% *ad val.*
	B. Other :	
	(*i*) Prepared media for sound recording	50% *ad val.*
	(*ii*) Sound recorded media :	
	(*a*) Recordings of recitation from Holy Quran	Free.
	(*b*) For the reproduction of speech	Free.
	(*c*) For the reproduction of music	92½% *ad val.*
	(*d*) Matrices, impressed	50% *ad val.*
	(*e*) Other	62½% *ad val.*
92.13	Other parts and accessories of apparatus falling within heading No. 92.11 :	
	A. For office machines	37½% *ad val.*
	B. Other	92½% *ad val.*

SECTION XIX

ARMS AND AMMUNITION; PARTS THEREOF

CHAPTER 93

ARMS AND AMMUNITION; PARTS THEREOF

NOTES

1. This Chapter does not cover :

(*a*) Goods falling within Chapter 36 (for example, percussion caps, detonators, signalling flares);

(*b*) Parts of general use, as defined in Note 2 to Section XV, of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07);

(*c*) Armoured fighting vehicles (heading No. 87.08) ;

(*d*) Telescopic sights and other optical devices suitable for use with arms, unless mounted on a firearm or imported with the firearm on which they are designed to be mounted (Chapter 90) ;

(*e*) Bows, arrows, fencing foils or toys falling within Chapter 97 ; or

(*f*) Collectors' pieces or antiques (heading No. 99.05 or 99.06).

2. In heading No. 93.07, the reference to "parts thereof" is to be taken not to include radio or radar apparatus of heading No. 85.15.

3. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
93.01	Side-arms (for example, swords, cutlasses and bayonets) and parts thereof and scabbards and sheaths therefor :	
	A. Swords for presentation as naval, military or airforce prizes or as prizes in relation to service under Government of Pakistan, and side-arms forming part of the regular equipment of a Commissioned or Gazetted officer in the service of Government of Pakistan entitled to wear diplomatic, military, naval, airforce or police uniforms	Free.
	B. Theatrical and fancy dress swords, provided they are virtually useless for offensive or defensive purposes	50% *ad val.*
	C. Other	92½% *ad val.*
93.02	Revolvers and pistols, being fire-arms :	
	A. Revolvers and pistols, forming part of the regular equipment of a Commissioned or Gazetted Officer in the service of Government of Pakistan entitled to wear diplomatic, military, naval, airforce or police uniform	Free.
	B. Arms forming part of military equipment of officers and non-commissioned officers of foreign armies detailed for training at army schools of instructions in Pakistan	Free.
	C. Other	117½% *ad val.*
93.03	Artillery weapons, machine-guns, sub-machine-guns and other military firearms and projectors (other than revolvers and pistol)	Free.
93.04	Other firearms, including very light pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like :	
	A. Firearms imported by or on behalf of Government of Pakistan.	Free.
	B. Other	117½% *ad val.*
93.05	Arms of other descriptions, including air, spring and similar pistols, rifles and guns :	
	A. Rifles of .22 and 7 mm. bores	50% *ad val.*
	B. Other	117½% *ad val.*

1	2	3
[93.06	Parts of arms, including gun barrel blanks, but not including parts of side-arms :	
	A. Parts of firearms of war, not including parts of revolvers and pistols	Free.
	B. Other :	
	(*i*) Imported by or on behalf of the Government of Pakistan.	Free.
	(*ii*) Other	50% *ad val.*
93.07	Bombs ; grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof ; ammunition and parts thereof, including cartridge wads ; lead shot prepared for ammunition :	
	A. Sporting ammunition :	
	(*i*) Ammunition for rifles of ·22 and 7 mm. bores	50% *ad val.*
	(*ii*) Other	117½% *ad val.*
	B. Other :	
	(*i*) Imported by or on behalf of Government of Pakistan ..	Free.
	(*ii*) Forming part of the regular equipment of a Commissioned or Gazetted officer in the service of Government of Pakistan entitled to wear diplomatic, military, naval, air-force or police uniform	Free.
	(*iii*) Other	92½% *ad val.*

SECTION XX

MISCELLANEOUS MANUFACTURED ARTICLES

CHAPTER 94

FURNITURE AND PARTS THEREOF ; BEDDING, MATTRESSES, MATTRESS SUPPORTS, CUSHIONS AND SIMILAR STUFFED FURNISHINGS

NOTES

1. This Chapter does not cover :

(*a*) Pneumatic or water mattresses, pillows or cushions, falling within Chapter 39,40 or 62 ;

(*b*) Standard lamps, table lamps, wall lamp brackets and other lighting fittings ; these are classified according to the constituent material (for example, in heading No. 44.27, 70.14 or 83.07) ;

(*c*) Articles of stone, ceramic or any other material referred to in Chapter 68 or 69, used as seats, tables or columns, of the kind used in parks, gardens or vestibules (Chapter 68 or 69) ;

(*d*) Mirrors designed for placing on the floor or ground [for example, cheval-glasses (swing-mirrors)] falling within heading No. 70.09;

(*e*) Parts of general used as defined in Note 2 to Section XV, of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07), and safes falling within heading No. 83.03 ;

(*f*) Furniture specially designed as parts of refrigerators of heading No. 84.15; furniture specially designed for sewing machines (heading No. 84.41) ;

(*g*) Furniture specially designed as parts of radio-grampohones, wireless sets or television sets (heading No. 85.15) ;

(*h*) Dentists' spittons falling within heading No. 90.17 ;

(*ij*) Goods falling within Chapter 91 (for example, clocks and clock cases) ;

(*k*) Furniture specially designed as parts of gramophones, of dictating machines or of other sound reproducers or recorders, falling within heading No. 92.13 ; or

(*l*) Toy furniture (heading No. 97.03), billiard tables and other furniture specially constructed for game (heading No. 97.04) or for conjuring tricks (heading No. 97.05).

2. The articles (other than parts) referred to in headings Nos. 94.01, 94.02 and 94.03 are to be classified in those headings only if they are designed for placing on the floor or ground.

This provision is, however, to be taken not to apply to the following which are still to be classified in the above-mentioned headings even if they are designed to be hung, to be fixed to the wall or to stand one on the other :

(*a*) Kitchen cabinets and similar cupboards;

(*b*) Seats and beds ;

(*c*) Unit bookcases and similar unit furniture.

3.(a) In this Chapter references to parts of goods do not include references to sheets (whether or not cut to shape but not combined with other parts) of glass (including mirrors) or of marble or other stone.

(*b*) Goods described in heading No. 94.04, imported separately, are not to be classified in headings Nos. 94.01, 94.02 or 94.03 as parts of goods.

Heading No.	Name of article	Rate of duty
1	2	3
94.01	Chairs and other seats (other than those falling within heading No. 94.02), whether or not convertible into beds, and parts thereof ..	125% *ad val.*
94.02	Medical, dental, surgical or veterinary furniture (for example, operating tables, hospital beds with mechanical fittings) ; dentists, and similar chairs with mechanical elevating, rotating or reclining movements ; parts of the foregoing articles	50% *ad val.*
94.03	Other furniture and parts thereof..	125% *ad val.*
94.04	Mattress supports ; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, matresses, quilts, eiderdowns, cushions, pouffes and pillows)	125% *ad val.*

CHAPTER 95

ARTICLES AND MANUFACTURES OF CARVING OR MOULDING MATERIAL

NOTE

This Chapter does not cover :

(*a*) Articles falling within Chapter 66 (for example, parts of umbrellas, walking-sticks) ;

(*b*) Fans or hand screens, non-mechanical (heading No. 67.05) ;

(*c*) Articles falling within Chapter 71 (for example, imitation jewellery) ;

(*d*) Cutlery or other articles falling within Chapter 82 with handles or other parts of carving or moulding materials ; the headings of the present Chapter apply, however, to separately imported handles or other parts of such articles ;

(*e*) Articles falling within Chapter 90 (for example, spectacle frames) ;

(*f*) Articles falling within Chapter 91 (for example, clock or watch cases) ;

(*g*) Articles falling within Chapter 92 (for example, musical instruments and parts thereof) ;

(*h*) Articles falling within Chapter 93 (arms and parts thereof) ;

(*j*) Articles falling within Chapter 94 (furniture and parts thereof) ;

(*k*) Brushes, powder puffs or other articles falling within Chapter 96 ;

(*l*) Articles falling within Chapter 97 (toys, games and sports requisities) ;

(*m*) Articles falling within Chapter 98 (for example, buttons, cuff-links, smoking pipes, combs) ; or

(*n*) Collectors pieces or antiques (Chapter 99).

Heading No.	Name of article	Rate of duty
1	2	3
95.01	**Worked tortoise-shell and articles of tortoise shell :**	
	A. Worked material	**62-1/2%*ad val.***
	B. Other	**92-1/2%*ad val.***
95.02	**Worked mother of pearl and articles of mother of pearl :**	
	A. Worked material	**62-1/2% *ad val.***
	B. Other	**92-1/2%*ad val.***
95.03	**Worked ivory and articles of ivory :**	
	A. Worked material	**62-1/2%*ad val.***
	B. Other	**92-1/2%*ad val***
95.04	**Worked bone (excluding whalebone) and articles of bone (excluding whalebone) :**	
	A. Worked material	**62-1/2%*ad val.***
	B. Other	**92-1/2%*ad val.***

1	2	3
95.05	Worked horn, coral (natural or agglomerated) and other animal carving material, and articles of horn, coral (natural or agglomerated) or of other animal carving material :	
	A. Worked material	62½% *ad val.*
	B. Other	92½% *ad val.*
95.06	Worked vegetable carving material (for example, corozo) and articles of vegetable carving material :	
	A. Worked material	62½% *ad val.*
	B. Other	92½% *ad val.*
95.07	Worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum, and articles of those substances :	
	A. Worked material	62½% *ad val.*
	B. Other	92½% *ad val.*
95.08	Moulded or carved articles of wax, of stearin, or natural gums or natural resins (for example, copal or rosin) or of modelling pastes, and other moulded or carved articles not elsewhere specified or included ; worked, unhardened gelatin (except gelatin falling within heading No. 35.03) and articles of unhardened gelatin :	
	A. Worked, unhardened gelatin	62½% *ad val.*
	B. Articles of medical and pharmaceutical use	Free.
	C. Other	62½% *ad val.*

CHAPTER 96

BROOMS, BRUSHES, FEATHER DUSTERS, POWDER-PUFFS AND SIEVES

NOTES

1. This Chapter does not cover :

(*a*) Articles falling within Chapter 71 :

(*b*) Brushes of a kind specialised for use in dentistry or for medical, surgical or veterinary purposes, falling within heading No. 90.17 ; or

(*c*) Toys (Chapter 97).

2. In heading No. 96.03, the expression " prepared knots and tufts for broom or brush making " is to be taken to apply only to unmounted knots and tufts of animal hair, vegetable fibre or other material, which are ready for incorporation without division in brooms or brushes, or which require only such further minor processes as glueing or coating the butts, or trimming to shape at the top, to render them ready for such incorporation.

Heading No. 1	Name of article 2	Rate of duty 3
96.01	Brooms and brushes, consisting of twigs or other vegetable materials merely bound together and not mounted in a head (for example, besomes and whisks), with or without handles	62½% *ad val.*
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers ; squeegees (other than roller squeegees) and mops	62½% *ad val.*
96.03	Prepared knots and tufts for broom or brush making	62½% *ad val.*
96.04	Feather dusters	125% *ad val.*
96.05	Powder-puffs and pads for applying cosmetics or toilet preparations, of any material	125% *ad val.*
96.06	Hand sieves and hand riddles, of any material :	
	A. Hand seives for use in laboratories	25% *ad val.*
	B. Other	62½% *ad val.*

CHAPTER 97

TOYS, GAMES AND SPORTS REQUISITES ; PARTS THEREOF

NOTES

1. This Chapter does not cover :

(*a*) Christmas tree candles (heading No. 34.06) ;

(*b*) Fireworks or other pyrotechnic articles falling within heading No. 36.05

(*c*) Yarns, monofils, cords or gut and the like for fishing, cut to length but not made up into fishing lines falling within Chapter 39, heading No. 42.06 or Section XI ;

(*d*) Sports bags or other containers of heading No. 42.02, or 43.03 ;

(*e*) Sports clothing or fancy dress, of textiles, falling within Chapter 60 or 61 ;

(*f*) Textile flags or bunting, or sails for boats or land craft, falling within Chapter 62 ;

(*g*) Sports footwear (other than skating boots with skates attached) cricket pads, shin-guards or the like, falling within Chapter 64, or sports headgear falling within Chapter 65 ;

(*h*) Climbing sticks, whips, riding crops or the like (heading No. 66.02), or parts thereof (heading No. 66.03) ;

(*ij*) Unmounted glass eyes for dolls or other toys, falling within heading No. 70.19 ;

(*k*) Parts of general use, as defined in Note 2 to Section XV, of base metal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07) ;

(*l*) Articles falling within heading No. 83.11 ;

(*m*) Sports vehicles (other than bobsleighs, tobogans and the like, falling within Section XVII ;

(*n*) Children's cycles fitted with ball bearings and in the normal form of adults cycles (heading No. 87.10) ;

(*o*) Sports craft such as canoes and skiffs (Chapter 89), or their means of propulsion (Chapter 44 for such articles made of wood) ;

(*p*) Spectacles, goggles and the like, for sports and outdoor games (heading No. 90.04) ;

(*q*) Decoy calls and whistles (heading No. 92.08) ;

(*r*) Arms or other articles of Chapter 93 ; or

(*s*) Racket strings, tents or other camping goods, or gloves (classified, in general, according to the material of which they are made).

2. The headings of this Chapter are to be taken to include articles in which pearls, precious or semi-precious stones (natural, synthetic or reconstructed), precious metals, or rolled precious metals constitute only minor constituents.

3. In heading No. 97.02 the term " dolls " is to be taken to apply only to such articles as are representations of human beings .

4. Subject to Note 1 above, parts and accessories which are suitable for use solely or principally with articles falling within any heading of this Chapter are to be classified with those articles.

Heading No.	Name of article	Rate of duty
1	2	3
97.01	Wheeled toys designed to be ridden by childern (for example, toy bicycles and tricycles and pedal motor cars); dolls, prams and dolls, push chairs	62½ % *ad val.*
97.02	Dolls	62½ % *ad val.*
97.03	Other toys ; working models of a kind used for recreational purposes	62½ % *ad val.*
97.04	Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites) :	
	A. Table-tennis balls, billiard balls	25 % *ad val.*
	B. Other	62½ % *ad val.*
97.05	Carnival articles ; entertainment articles (for example, conjuring tricks and novelty jokes); Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation yule logs, Nativity scenes and figures therefor)	92½% *ad val.*
97.06	Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading 97.04) :	
	A. Tennis balls, squash balls, golf balls, golf sticks and tees ..	25 % *ad val.*
	B. Other	62½ % *ad val.*
97.07	Fish-hooks, line fishing rods and tackle ; fish landing nets and butterfly nets ; decoy " birds ", lark mirrors and similar hunting or shooting requisites	62½ % *ad val.*
97.08	Roundabouts, swings, shooting gallaries and other fairground amusements ; travelling circuses, travelling menageries and travelling theatres	92½ % *ad val.*

CHAPTER 98

MISCELLANEOUS MANUFACTURED ARTICLES

NOTES

1. This Chapter does not cover :

(*a*) Eyebrow and other cosmetic pencils (heading No. 33.06) ;

(*b*) Buttons, studs, cuff-links or other articles of a kind described in heading No. 98.01 or 98.12, if made wholly or partly of precious metal or rolled precious metal [subject to the provisions of Note 2 (a) to Chapter 71] or if containing pearls or precious or semi-precious stones (natural, synthetic or reconstructed) (Chapter 71);

(*c*) Parts of general use, as defined in Note 2 to Section XV, of base matal (Section XV), or similar goods of artificial plastic materials (which are generally classified in heading No. 39.07) ;

(*d*) Mathematical drawing pens (heading No. 90.16), or

(*e*) Toys falling within Chapter 97.

2. Subject to Note 1 above, the headings in this Chapter are to be taken to apply to goods of the kind described whether or not composed wholly or partly of precious metal or rolled precious metal or of pearls or precious or semi-precious stones (natural, synthetic or reconstructed).

3. Cases, boxes and similar containers imported with articles of this Chapter are to be classified with such articles if they are of a kind normally sold therewith. Cases, boxes and similar containers imported separately are to be classified under their appropriate headings.

Heading No.	Name of article	Rate of duty
1	2	3
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs ; blanks and parts of such articles :	
	A. Blanks and moulds	62½% *ad val.*
	B. Press-fasteners, including snap-fasteners and press-studs ..	62½% *ad val.*
	C. Other	92½% *ad val.*
98.02	Slide fasteners and parts thereof	62½% *ad val.*
98.03	Fountain pens, stylograph pens and pencils (including ball point pens and pencils) and other pens, pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils ; parts and fittings thereof, other than those falling within heading No. 98.04 or 98.05 :	
	A. Ball point pens and pencil refills	92½% *ad val.*
	B. Other	62½% *ad val.*
98.04	Pen nibs and nib points :	
	A. Gold and gold-plated pen nibs	62½% *ad val.*
	B. Other	62½% *ad val.*
98.05	Pencils (other than pencils of heading No. 98.03), pencil leads, slate pencils, crayons and pastels, drawing charcoals and writing and drawing chalks ; tailors' and billiards chalks :	
	A. Lead, coloured and copying pencils..	92½% *ad val.*
	B. Other	50% *ad val.*
98.06	Slates and boards, with writing or drawing surfaces, whether framed or not :	
	A. Unframed slates with writing surface	25% *ad val.*
	B. Other	50% *ad val.*
98.07	Date, sealing or numbering stamps, and the like (including devices for printing or embossing labels), designed for operating in the hand ; hand-operated composing sticks and hand printing sets incorporating such composing sticks	50% *ad val.*
98.08	Typewriter and similar ribbons, whether or not on spools ; ink-pads, with or without boxes	37½% *ad val.*
98.09	Sealing wax (including bottle-sealing wax) in sticks; cakes or similar forms ; copying pastes with a basis of gelatin, whether or not on a paper or textile backing	50% *ad val.*

1	2	3
98.10	Mechanical lighters and similar lighters, including chemical, and electrical lighters, and parts thereof, excluding flints and wicks :	
	A. Mechanical lighters	92½% *ad val.* or Rs. 6.25 per piece whichever is higher.
	B. Other	92½% *ad val.*
98.11	Smoking pipes ; pipe bowls, stems and other parts of smoking pipes (including roughly shaped blocks of wood or root); cigar and cigarette holders and parts thereof :	
	A. Roughly shaped blocks of wood or root for the manufacture of smoking pipes	62½% *ad val.*
	B. Other	92½% *ad val.*
98.12	Combs, hair-slides and the like	125% *ad val.*
98.13	Corset busks and similar supports for articles of apparel or clothing accessories	92½% *ad val.*
98.14	Scent and similar sprays of a kind used for toilet purposes, and mounts and heads therefor	92½% *ad val.*
98.15	Vacuum flasks and other vacuum vessels, complete with cases ; parts thereof, other than glass inners	62½% *ad val.*
98.16	Tailors' dummies and other lay figures ; automata and other animated displays of a kind used for shop window dressing	62½% *ad val.*

SECTION XXI

WORKS OF ART, COLLECTORS' PIECES AND ANTIQUES

CHAPTER 99

WORKS OF ART, COLLECTORS' PIECES AND ANTIQUES

NOTES

1. This Chapter does not cover :

(*a*) Unused postage, revenue or similar stamps of current or new issue in the country to which they are destined (heading No. 49.07) ;

(*b*) Theatrical scenery, studio back-cloths or the like, of painted canvas (heading No. 59.12) ; or

(*c*) Pearls or precious or semi-precious stones (heading No. 71.01 or 71.02)

2. For the purposes of heading No. 99.02, the expression "original engravings, prints and lithographs" means impressions produced directly, in black and white or in colour, of one or of several plates wholly executed by hand by the artist, irrespective of the process or of the material employed by him, but not including any mechanical or photomechanical process.

3. Heading No. 99.03, is to be taken not to apply to mass-produced reproductions or works of conventional craftsmanship of a commercial character.

4. (a) Subject to Notes 1 to 3 above articles falling within headings of this Chapter are to be classified in whichever of those headings is appropriate and not in any other heading of the Nomenclature.

(b) Heading No. 99.06 is to be taken not to apply to articles falling within any of the preceding headings of this Chapter.

5. Frames around paintings, drawings, pastels, engravings, prints or lithographs are to be treated as forming part of those articles, provided they are of a kind and of a value normal to those articles.

Heading No.	Name of article	Rate of duty
1	2	3
99.01	Paintings, drawings and pastels, executed entirely by hand, (other than industrial drawings falling within heading No. 49.06 and other than hand-painted or hand-decorated manufactured articles)	50% *ad val.*
99.02	Original engravings, prints and lithorgaphs	50% *ad val.*
99.03	Original sculptures and statuary, in any material	50% *ad val.*
99.04	Postage, revenue and similar stamps (including stamp-postmarks and franked envelopes, letter-cards and the like), used, or if unused not of current or new issue in the country to which they are destined ..	50% *ad val.*
99.05	Collections an collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, paleontological, ethnographic or numismatic interest	Free.
99.06	Antiques of an age exceeding one handred years	Free.

THE SECOND SCHEDULE

(*See* section 18)

EXPORT TARIFF

Item No.	Name of article	Rate of duty
1	2	3
1.	Meshta fibre and raw jute :	
	A. Cuttings	Rs. 10 per bale of 400 lbs.
	B. All other descriptions :	
	(*i*) In pucca bales	Rs. 20 per bale of 400 lbs.
	(*ii*) Loose or in kutcha bales	Rs. 20 per bale of 400 lbs.
2.	Jute manufactures, when not in actual use as coverings, receptacles or binding for other goods :	
	A. Sacking (cloth bags, twist yarn, rope and twine)	Rs. 50 per ton
	B. Hessian and all other description of jute manufactures not otherwise specified	Rs. 80 per ton
3.	Raw cotton	40% *ad val.*
3A.	Cotton waste, all sorts	40% *ad val.*
4.	Rice, husked or unhusked including rice flour but excluding rice bran and rice dust :	
	A. Rice basmati	Rs. 34 per cwt.
	B. Other	30% *ad val.*
5.	Tea	37 paisa per lb.
6.	Hides, raw	40% *ad val.*
7.	Skins, raw	40% *ad val.*
8.	Cotton seed	10% *ad val.*
9.	Cement	Rs. 10 per ton.
10.	Fish :	
	A. Fresh	Rs. 5 per maund.
	B. Salted dry	Rs. 4 per cwt.
	C. Unsalted dry	Rs. 8 per cwt.
11.	Bamboos	10% *ad val.*
12.	Wool raw	Rs. 1.30 per lb.

1	2	3
13.	Cotton yarn :	
	A. Of counts 21 to 24	40 paisa per lb. + 40% *ad val.* subject to a maximum of Rs. 5.40 per lb.
	B. Other	40% *ad val.* subject to a maximum of Rs. 5 per lb.
14.	Grey cloth	15 paisa per square yard.
15.	Semi-tanned and tanned hides and skins	20% *ad val.*
16.	Oil cakes	45% *ad val.*
17.	Molasses	30% *ad val.*

(9) in the "Fourth Schedule", renumbered as aforesaid, against S. No. 4 in column 1,—(i) in column 3, for the words and figures "sections 5 and 6" the words "the whole" shall be substituted ; and (ii) the entries in column 4 shall be omitted.

8. **Amendments of Act I of 1944.**—The following amendments shall be made in the Central Excises and Salt Act, 1944 (I of 1944), hereinafter referred to as the said Act, namely:—

In the said Act,—

(1) in section 2, after clause (cc), the following new clause shall be added, namely :—

"(ccc) 'duty' includes regulatory duty and any other sum payable under any of the provisions of this Act or the rules made thereunder ;";

(2) for section 11 the following shall be substituted, namely :—

"11. *Recovery of sums due to Government.*—Where any duty is not paid within the time in which it was required to be paid, any officer empowered by the Central Board of Revenue to levy duty may at any time—

(*a*) deduct the amount so payable from any money owing to the person from whom such duty may be recoverable or due which may be in the hands or at the disposal or control of such officer ;

(*b*) require by a notice in writing any person owing any money to the person from whom such duty may be recoverable or due to pay to such officer the amount specified in the notice, or the whole of such money if it is less than the amount so recoverable or due, within seven days of the notice or within such longer time as may be allowed by such officer ;

(*c*) recover such amount by attachment and sale of excisable goods or any plant, machinery, equipment or any other goods in the factory or bonded warehouse or in any premises where any excisable services are provided or rendered ; or

(*d*) stop removal of any goods from such factory, bonded warehouse or premises till such amount is paid or recovered in full ; and, if such amount is not so recovered, prepare a certificate signed by him specifying the amount due from the person liable to pay it and send it to the Collector of the district in which such person resides or conducts his business and the said Collector, on receipt of such certificate, shall proceed to recover the amount specified in the certificate as if it were an arrear of land revenue .";

(3) in section 35,—

(*a*) in sub-section (1),—

(*i*) for the words "three months from the date" the words "thirty days of the date of receipt" shall be substituted ; and

(*ii*) after the words and full stop "Central Board of Revenue.", the following shall be inserted, namely :—

"An appeal filed after the expiry of thirty days may be admitted if the appellate authority is satisfied that the appellant had sufficient cause for not filing the appeal within that period." ; and

(*b*) sub-section (2) shall be omitted ;

(4) in section 35A, in sub-section (1),—

(*i*) for the words "may of its" the words "or the Collector of Central Excise may of its or his" shall be substituted ;

(*ii*) after the word "itself", the words "or himself" shall be inserted ;

(*iii*) for the words "and may pass such order as it" the words "or to the Collector and may pass such order as it or he" shall be substituted ; and

(*iv*) in the proviso, after the word "Board", the words "or the Collector" shall be inserted ;

(5) in section 36,—

(*i*) for the words "one hundred and twenty days from the date" the words "thirty days of the date of receipt" shall be substituted ;

(*ii*) before the existing proviso, the following new proviso shall be inserted, namely :

"Provided that the Federal Government may admit an application made after the expiry of the said period of thirty days if it is satisfied that the applicant had sufficient cause for not making the application within that period :" ; and

(*iii*) in the existing proviso, after the word "provided", the word "further" shall be inserted ;

(6) after section 36 amended as aforesaid, the following new section 36A shall be added, namely :—

"36A. *Power to rectify mistakes in orders.*—(1) The Federal Government, the Central Board of Revenue or any Central Excise Officer may rectify any mistake which is apparent from the record in any order passed by it or him under any of the provisions of this Act or the rules made thereunder, on its or his own motion or on an application made by a person affected by the order within one year of the passing of such order :

Provided that no such rectification which has the effect of enhancing any penalty or fine or requiring the payment of a greater amount of duty shall be made unless the person affected by the proposed rectification has been given an opportunity of being heard.

(2) No order under this section shall be passed after the expiry of three years from the date of the passing of the order the mistake in which is sought to be rectified." ;

(7) after section 40, the following new section 41 shall be added, namely :—

"41. *Observance of Board's orders, directions and instructions.*—All officers and persons employed in the execution of this Act and the rules made thereunder shall observe and follow the orders, directions and instructions of the Central Board of Revenue :

Provided that no such instructions shall be given by the Central Board of Revenue so as to interfere with the discretion of an officer in the performance of his duties under sections 33 and 35." ; and

(8) The First Schedule shall be amended in the manner specified in the Second Schedule to this Act.

9. **Amendment of Act VI of 1898.**—.For the First Schedule to the Post Office Act, 1898 (VI of 1898), the Schedule set out in the Third Schedule to this Act shall be substituted.

THE FIRST SCHEDULE

(*See* Section 3)

PART I

RATES OF INCOME TAX

A. In the case of every individual, unregistered firm, an association of persons, Hindu undivided family and every artificial juridical person referred to in clause (9) of section 2 of the Income-tax Act, 1922 (XI of 1922), not being a case to which paragraph B of this part applies—

1.	Where the taxable income does not exceed Rs. 2,000.	2.5 *Per cent* of the taxable income.
2.	Where the taxable income exceeds Rs. 2,000 but does not exceed Rs. 4,000.	Rs. 50 plus 10 *per cent* of the amount exceeding Rs. 2,000.
3.	Where the taxable income exceeds Rs. 4,000 but does not exceed Rs. 7,000.	Rs. 250 plus 15 *per cent* of the amount exceeding Rs. 4,000.

4. Where the taxable income exceeds Rs. 7,000 but does not exceed Rs. 10,000	Rs. 700 plus 20 *per cent* of the amount exceeding Rs. 7,000.
5. Where the taxable income exceeds Rs. 10,000 but does not exceed Rs. 15,000.	Rs. 1,300 plus 25 *per cent* of the amount exceeding Rs. 10,000.
6. Where the taxable income exceeds Rs. 15,000 but does not exceed Rs. 20,000.	Rs. 2,550 plus 30 *per cent* of the amount exceeding Rs. 15,000.
7. Where the taxable income exceeds Rs. 20,000 but does not exceed Rs. 25,000.	Rs. 4,050 plus 35 *per cent* of the amount exceeding Rs. 20,000.
8. Where the taxable income exceeds Rs. 25,000 but does not exceed Rs. 30,000.	Rs. 5,800 plus 40 *per cent* of the amount exceeding Rs. 25,000.
9. Where the taxable income exceeds Rs. 30,000 but does not exceed Rs. 35,000.	Rs. 7,800 plus 45 *per cent* of the amount exceeding Rs. 30,000.
10. Where the taxable income exceeds Rs. 35,000 but does not exceed Rs. 40,000.	Rs. 10,050 lus 50 *per cent* of the amount exceeding Rs. 35,000.
11. Where the taxable income exceeds Rs. 40,000 but does not exceed Rs. 50,000.	Rs. 12,550 plus 55 *per cent* of the amount exceeding Rs. 40,000.
12. Where the taxable income exceeds Rs. 50,000 but does not exceed Rs. 70,000.	Rs. 18,050 plus 60 *per cent* of the amount exceeding Rs. 50,000.
13. Where the taxable income exceeds Rs. 70,000 but does not exceed Rs. 1,00,000.	Rs. 30,050 plus 65 *per cent* of the amount exceeding Rs. 70,000.
14. Where the taxable income exceeds Rs. 1,00,000.	Rs. 49,550 plus 70 *per cent* of the amount exceeding Rs. 1,00,000.

Provided that :—

(*i*) no income-tax shall be payable on a total income which before deduction of the sums, if any, exempt under the first and third provisos to sub-section (1) of section 7, section 15, section 15-A, section 15AA, section 15C, section 15CC, section 15CCC, section 15D, section 15F, section 15H, section 15HH, section 58F and section 58W of the Income-tax Act, 1922 (XI of 1922) does not exceed Rs. 12.000 ;

(*ii*) where the total income of an assessee exceeds Rs. 12,000 but does not exceed Rs. 15,000, the income-tax payable shall not exceed fifty per cent of the amount by which the total income exceeds Rs. 12,000 ;

(*iii*) where the total income includes any income from a share of the income, profits and gains of a firm to which paragraph C of Part II applies, such portion of the super-tax payable under the said paragraph as bears to the total amount of such super-tax the same proportion as his share of income, profits and gains of the firm bears to the total income of the firm shall be added to the income-tax payable by such partner under this paragraph and, if the sum so arrived at exceeds seventy per cent of the total income of such partner (including his share of income, profits and gains of the firm), the amount of income-tax payable by him under this paragraph shall be reduced by the amount of such excess.

Explanation.—The expression " taxable income ", as used in this paragraph, means—

(*a*) in the case of an assessee to whom or to which clause (a) of sub-section (1) of section 17 of the Income-tax Act, 1922 (XI of 1922), applies, the total income ;

(*b*) in any other case, the total income of an assessee as diminished by the allowance admissible under the first and third provisos to sub-section (1) of section 7, section 15, section 15A, section 15AA, section 15C, section 15CC, section 15CCC, section 15D, section 15F, section 15H, section 15HH, section 58F and section 58W of the Income-tax Act, 1922 (XI of 1922).

B. In the case of every local authority and in every case in which, under the provisions of the Income-tax Act, 1922 (XI of 1922), income tax is to be charged at the maximum rate.	30 *per cent* of the total amount.
C. In the case of every company, being a public company or a foreign association declared to be a company by the Central Board of Revenue under clause (5A) of section 2 of the Income-tax Act, 1922 (XI of 1922), on the total income excluding such part of the total income as consists of any dividends or bonus or bonus shares to which sub-paragraph (3) or sub-paragraph (4) of paragraph A of Part II applies.	30 *per cent* of such income.
D. In the case of every other company, on the total income excluding such part thereof as consists of any bonus or bonus shares to which sub-paragraph (4) of paragraph A of Part II applies.	30 *per cent* of such income.

PART II

RATES OF SUPER TAX

A. In the case of a company,—

	Rates
(1) on the total income, excluding such part of the total income as consists of dividends or bonus or bonus shares to which sub-paragraphs (3) and (4) apply, where such company is a company to which paragraph C of Part I applies.	35 *per cent* of such income in the case of a banking company and 30 *per cent* of such income in the case of a company other than a Banking company;
(2) on the total income excluding such part of the total income as consists of bonus or bonus shares to which sub-paragraph (4) applies where such company is a company to which sub-paragraph (1) does not apply.	35 *per cent* of such income in the case of a Banking company and 30 *per cent* of such income in the case of a company other than a Banking company.

Provided that where a company, in respect of the profits and gains liable to tax under the Income-tax Act, 1922 (XI of 1922), has made such effective arrangements as may be prescribed by the Central Board of Revenue in this behalf for the declaration and payment in Pakistan of dividends payable out of such profits and gains and for the deduction of tax from such dividends, rebate shall be allowed as follows :—

(*i*) a rebate of 5 *per cent* to such company not being a Banking Company if it is a public company;

(*ii*) a rabate of 5 *per cent* to such company not being a Banking Company if it is a public company to which clause (iii) does not apply, if its paid-up capital plus free reserves as on the last day of the previous year does not exceed Rs. 5,00,000 ;

(*iii*) a rebate of 5 *per cent* on so much of the income profits and gains of such company, being a public company, as are derived by it from an industrial undertaking if its paid-up capital plus free reserves as on the last day of the previous year does not exceed Rs. 10,00,000 ;

(*iv*) a rebate of 5 *per cent* on so much of the income, profits and gains of such company, as are derived by it from an industrial undertaking commencing commercial production at any time between the first day of July, 1975 and the thirtieth day of June, 1980 (both dates inclusive) if the original cost of fixed assets (excluding the cost of land) owned by the company and used by the undertaking does not exceed Rs. 30,00,000, so however that no rebate under clauses (ii) and (iii) shall be allowed to such company ;

(*v*) a rebate of 10 *per cent* to such company in respect of its income, profits and gains to which sub-section (9) of section 10 of the Income-tax Act, 1922 (XI of 1922), applies or which are derived by it in Pakistan from processing, freezing, preserving and canning of food, vegetable, fruit, grain, meat, fish and poultry ;

(*vi*) a rebate of 15 *per cent* to such company on so much of the income, profits and gains accruing or arising outside Pakistan to which sub-section (4) of section 3 does not apply as are brought by it in Pakistan.

Explanation.—The term " industrial undertaking" , as used in clause (iii) means an undertaking which is set up or commenced in Pakistan on or after the 14th day of August, 1947, and which employs (i) ten or more persons in Pakistan and involves the use of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency or (ii) twenty or more persons in Pakistan and does not involve the use of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency and which is—

(*i*) engaged in—

(*a*) the manufacture of goods or materials or the subjection of goods or materials to any process, which substantially changes their original conditions ;

(*b*) ship-building ;

(*c*) generation, transformation, conversion, transmission or distribution of electrical energy, or the supply of hydraulic power ;

(*d*) the working of any mine, oil-well or other source of mineral deposits not being an undertaking to which the Second and Third Schedules to the Income Tax Act, 1922 (XI of 1922) apply ; or

(*ii*) any other industral undertaking which may be approved by the Central Board of Revenue for the purposes of this clause.

3. To which paragraph C of Part I applies, on the amount representing income from dividends from a company having its registered office in Pakistan.

	Rates
(*a*) where such dividends are received by a public company and are declared and paid by a company formed and registered in Pakistan under the Companies Act, 1913 (VII of 1913), or a body corporate formed in pursuance of a law within the legislative competence of Parliament in respect of the share-capital issued, subscribed and paid after the fourteenth day of August, 1947.	15 *per cent* of such amount.
(*b*) in other cases	20 *per cent* of such amount.

4. On the whole of the amount representing the face value of any bonus shares or the amount of any bonus issued by the company to its share-holders with a view to increasing its paid-up capital—

(*a*) where a company which issued shares or bonus, as the case may be, is a public company.	15 *per cent* of such amount.
(*b*) in other cases	20 *per cent* of such amount.
B. In the case of every local authority on the hole of the total income.	12.5 *per cent* of the total income.
C. In the case of every registered firm—	
(1) where the total income does not exceed Rs. 145,000.	*Nil.*
(2) where the total income exceeds Rs. 15,000 but does not exceeds Rs. 30,000.	5 *per cent* of the amount exceeding Rs. 15,000.
(3) where the total income exceeds Rs. 30,000 but does not exceeds Rs. 60,000.	Rs. 750 *plus* 10 *per cent* of the amount exceeding Rs. 30,000.
(4) where the total income exceeds Rs. 60,000 but does not exceeds Rs. 1,00,000.	Rs. 3,750 *plus* 20 *per cent* of the amount exceeding Rs. 60,000.
(5) where the total income exceeds Rs. 1,00,000.	Rs. 11, 750 *plus* 30 *per cent* of the amount exceeding Rs. 1,00,000.

Explanation.—The term " registered firm " as used in this paragraph means a firm registered under section 26A of the Income-tax Act, 1922 (XI of 1922), or a firm treated as a registered firm under clause (b) of sub-section (5) of section 23 of the said Act.

PART III

(*See* section 4)

RATES OF SURCHARGE

In the case of persons deriving income from the business of manufacture, purchase or sale of jewellery including gold, silver, percious metals, stones and ornaments or other articles made thereof :	6 per cent of such income.

Provided that the surcharge shall not be payable by any person (not being a company) whose total income does not exceed Rs. 12,000.

THE SECOND SCHEDULE

(*See* section 8)

AMENDMENTS TO THE FIRST SCHEDULE TO THE CENTRAL EXCISES AND SALT ACT, 1944 (I OF 1944).

I. In PART I—

(1) in SECTION II, in item 5(1), for the entry in column (3) the following shall be substituted, namely :—

" One hundred and twenty-eight rupees and forty-two paisa per cwt. ";

(2) in SECTION III,—

(*a*) in item 7, for the entry in column (3) the following shall be substituted, namely :—

" Sixty-eight rupees and seventy-two paisa per cwt. " ; and

(*b*) in item 8, in sub-item II(2), for clause (a) and the entries relating thereto in columns (2) and (3), including the entries under the heading " Surcharge ", the following shall be substituted, namely :—

" (*a*) if retail price is legibly, prominently and indelibly printed on each packet and if such retail price per ten cigarettes is—	Per one thousand cigarettes.
(*i*) less than thirty paisa ..	Eight rupees *plus* 50 per cent of the retail price in excess of twenty rupees per one thousand cigarettes.
(*ii*) thirty paisa or more ..	Fifteen rupees *plus* 70 per cent of the retail price in excess of thirty rupees per one thousand cigarettes. " ;

(3) in SECTION IV, for item 12 and the entries relating thereto in columns (2) and (3) the following shall be substituted, namely :—

" 12. Petroleum Gases and other Gaseous Hydrocarbons including Natural Gas and Liquified Petroleum Gas—	
(1) Natural Gas	One rupee and sixty paisa per 1,000 cubic feet.
(2) Others	One rupee and fifteen paisa per 1,000 cubic feet. " ;

(4) in SECTION V,—

(*a*) in item 30, for the entry in column (3) the following shall be substituted, namely :—

" Two hundred and ninety-five rupees per ton. " ; and

(*b*) after item 30 amended as aforesaid, the following new item and the entries relating thereto shall be added, namely :—

" 30A. Caustic Soda, all sorts .. 10 per cent *ad valorem.* " ;

(5) in SECTION X, in item 45, in column (2), the words and figure " but does not include any such fabric which contains less than 10 per cent of wool by weight " shall be omitted ; and

II. in PART II, in item 1, in sub-items (1) and (2), for the figure " 10 " in column (3) the figure " 15 " shall be substituted. ".

THE THIRD SCHEDULE

(Schedule to be inserted in the Post Office Act, 1898)

(*See* Section 9)

"THE FIRST SCHEDULE"

INLAND POSTAGE RATES

(*See* Section 7)

LETTERS

For a weight not exceeding ten grams	20 Paisa
For every ten grams or fraction thereof exceeding ten grams ..	20 Paisa

POSTCARDS

Single	10 Paisa
Reply	20 Paisa

PATTERN AND SAMPLE PACKETS

For the first fifty grams or fraction thereof	10 Paisa
For every additional twenty-five grams or fraction thereof in excess of fifty grams	4 Paisa

BOOK PACKETS

For the first fifty grams or fraction thereof	10 Paisa
For every additional twenty-five grams or fraction thereof in excess of fifty grams	3 Paisa

REGISTERED NEWSPAPERS

(*a*) Single copies—	
For a weight not exceeding one hundred grams ..	2 Paisa
For a weight exceeding one hundred grams but not exceeding two hundred and fifty grams	3 Paisa
For every additional two hundred and fifty grams or fraction thereof	3 Paisa
(*b*) Packets of registered newspapers—	
For a weight not exceeding one hundred grams ..	3 Paisa
For every additional fifty grams or fraction thereof in excess of one hundred grams	2 Paisa

PARCELS

For a weight not exceeding five hundred grams ..	90 Paisa
For every additional five hundred grams or fraction thereof exceeding five hundred grams	90 Paisa."

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 3rd July, 1975

The following Act of Parliament received the assent of the President on the 2nd July, 1975, and is hereby published for general information :—

ACT No. LI OF 1975

An Act to provide for the conduct of election to the Senate

WHEREAS it is expedient to provide for the conduct of election to the Senate and for matters connected therewith or incidental thereto ;

It is hereby enacted as follows :—

CHAPTER I.—PRELIMINARY

1. **Short title and commencement.**—(1) This Act may be called the Senate (Election) Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) " bye-election " means an election to fill a casual vacancy referred to in section 77 ;

(b) " candidate " means a person proposed as a candidate for election as a member ;

(c) " Chairman " means Chairman of the Senate ;

(d) " contesting candidate " means a candidate who has been validly nominated for election as a member and has not withdrawn his candidature;

(e) " election " means an election to the Senate other than a bye-election and includes an election to fill the seat of a member which falls vacant on the expiration of his term ;

(f) " election petition " means an election petition made under section 34 ;

(g) " electoral roll " means an electoral roll prepared under the law relating to the preparation and revision of electoral rolls for the time being in force ;

Price : Ps. 37

[2831 Ex. Gaz.]

(h) "member" means member of the Senate;

(i) "nomination day" means the day appointed under section 10 for the nomination of candidates;

(j) "polling day" means the day on which poll is taken for an election;

(k) "Polling Officer" means a Polling Officer appointed under section 7;

(l) "prescribed" means prescribed by rules;

(m) "returned candidate" means a candidate who has been declared elected as a member under this Act;

(n) "Returning Officer" means a Returning Officer appointed under section 5 and includes a Polling Officer acting as, or performing the functions of, Returning Officer;

(o) "rules" means rules made under this Act;

(p) "scrutiny day" means the day appointed under section 10 for the scrutiny of nomination papers;

(q) "voter", means in relation to a Province, a person who is a member of the Provincial Assembly of that Province; and

(r) "withdrawal day" means the day appointed under section 10 on or before which candidature may be withdrawn.

(2) Words and expressions used but not defined in this Act and also used in the Constitution shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II.—ADMINISTRATIVE MACHINERY FOR THE CONDUCT OF ELECTIONS

3. **Organisation and conduct of election.**—Subject to the provisions of this Act and the rules, the Commissioner shall regulate the procedure for organizing, and conducting an election in such manner as he may deem fit.

4. **Delegation of powers.**—The Commissioner may authorise any of the officers subordinate to him to exercise and perform all or any of his powers and functions under this Act.

5. **Returning Officers.**—For the purposes of an election, the Commissioner shall appoint a Returning Officer for each Province.

6. **Polling Stations.**—The Commissioner shall provide a polling station for the purpose of election members by the members of a Provincial Assembly.

7. **Polling Officers.**—The Commissioner shall, for the purpose of conducting an election, also appoint such number of Polling Officers to assist the Returning Officer as he may consider necessary.

8. **Duties and powers of Returning Officer.**—(1) A Returning Officer shall conduct the poll in accordance with the provisions of this Act and the rules and shall exercise all necessary powers for maintaining order at the polling station and shall report to the Commissioner any fact or incident which may, in his opinion, affect the conduct or fairness of the poll.

(2) The Returning Officer may, during the course of the poll, entrust to any Polling Officer such of his functions as may be specified by him; and it shall be the duty of the Polling Officer to perform the functions so entrusted.

(3) The Returning Officer shall authorise one of the Polling Officers to act in his place if he is, at any time during the poll, by reason of illness or other cause, not present at the polling station or is unable to perform his functions,

(4) The Returning Officer may, at any time during the poll, for reasons to be recorded in writing, suspend any Polling Officer and make such arrangements as he may consider necessary for the performance of the functions of the Officer so suspended.

(5) It shall be the duty of a Returning Officer to do all such acts and things as may be necessary for effectively conducting an election in accordance with the provisions of this Act and the rules.

CHAPTER III.—CONDUCT OF ELECTION

9. **Supply of list of voters.**—The Commissioner shall provide the Returning Officer with a list of voters of the Province.

10. **Notification for election.**—(1) For the purpose of an election, the Commissioner shall, by notification in the official Gazette, call upon the members of the Provincial Assembly of a Province to elect such number of members to the Senate from that Province as is specified in such notification.

(2) The Commissioner shall in the same notification fix—

(a) a day for the nomination of candidates;

(b) a day for the scrutiny of nomination papers;

(c) a day on or before which candidature may be withdrawn; and

(d) a day for the taking of the poll and the place at which the poll shall be taken.

11. **Nomination for election.**—(1) A voter from a Province may propose or second the name of any person qualified for election to the Senate from that Province.

(2) Every proposal shall be made by a separate nomination paper in the prescribed form which shall be signed by the proposer and the seconder and contain a declaration signed by the candidate that he consents to the nomination and that he is not subject to any disqualification for being or being elected as a member.

(3) Every nomination paper shall be delivered by the candidate, or his proposer or seconder, to the Returning Officer who shall acknowledge receipt thereof.

(4) A person may be nominated by more than one nomination papers.

(5) Every proposal shall be accompanied by a certified copy of the relevant extract from the electoral roll in which the name of the person nominated is enrolled.

12. **Deposit.**—(1) Subject to the provisions of sub-section (2), no nomination paper delivered under section 11 shall be accepted unless—

(a) a sum of two thousand rupees is deposited in cash by the candidate or by any person on his behalf at the time of its delivery; or

(b) it is accompanied by a receipt showing that a sum as aforesaid has been deposited by the candidate or by any person on his behalf at any branch of the National Bank of Pakistan or at a Government Treasury or sub-Treasury.

(2) Not more than one deposit under sub-section (1) shall be required in the case of a person who has been nominated as a candidate by more than one nomination papers.

13. **Scrutiny.**—(1) The candidates, their proposers and seconders, and an agent authorised in writing in this behalf by each candidate, may attend the scrutiny of the nomination papers, and the Returning Officer shall give them reasonable opportunity for examining all nomination papers delivered to him under section 11.

(2) The Returning Officer shall, in the presence of the persons attending the scrutiny under sub-section (1), examine the nomination papers and decide any objection raised by any such person to any nomination.

(3) The Returning Officer may, either of his own motion or upon any objection, conduct such summary inquiry as he may think fit and reject any nomination paper if he is satisfied that—

(a) the candidate is not qualified to be elected as a member;

(b) the proposer or the seconder is not qualified to subscribe to the nomination paper;

(c) any provision of section 11 or section 12 has not been complied with; or

(d) the signature of the proposer or seconder is not genuine:

Provided that—

(i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper;

(ii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature and may allow any such defect to be remedied forthwith; and

(iii) the Returning Officer shall not inquire into the correctness or validity of any entry in the electoral roll.

(4) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it and shall, in the case of rejection, record a brief statement of the reasons therefor.

(5) Where the nomination of a candidate has been rejected under this section by a Returning Officer, an appeal shall lie, within two days of the scrutiny day, to the Commissioner; and any order passed by the Commissioner on such appeal shall be final.

14. **Publication of the list of candidates.**—(1) The Returning Officer shall, after the scrutiny of nomination papers, prepare and publish in the prescribed manner a list of candidates who have been validly nominated.

(2) In case an appeal against rejection of a nomination paper is accepted by the Commissioner, the list of validly nominated candidates shall be revised accordingly.

15. **Withdrawals.**—(1) Any validly nominated candidate may, by notice in writing signed by him and delivered on or before the withdrawal day to the Returning Officer either by such candidate in person or by an agent authorised by him in writing in this behalf, withdraw his candidature.

(2) A notice of withdrawal under sub-section (1) shall, in no circumstances, be open to recall or cancellation.

(3) On receiving a notice of withdrawal under sub-section (1), the Returning Officer shall, if he is satisfied that the signature on the notice is that of the candidate, cause a copy of the notice to be affixed at some conspicuous place in his office.

(4) The Returning Officer shall, on the day next following the withdrawal day, prepare and publish in the prescribed manner a list of contesting candidates and forward a copy thereof to each such candidate, giving public notice of the date, hour and place of the poll.

16. **Death of a candidate after nomination.**—(1) If a validly nominated candidate who has not withdrawn his candidature dies before the completion of the proceedings relating to the election, the Returning Officer shall, by public notice, terminate such proceedings and make a report to the Commissioner.

(2) Where the proceedings relating to an election have been terminated under sub-section (1), fresh proceedings shall be commenced in accordance with the provisions of this Act as if for a new election.

17. **Postponement, etc., under certain circumstances.**—Where the proceedings relating to nomination, scrutiny or withdrawal cannot, for reasons beyond the control of the Returning Officer, take place on the day appointed therefor, he may postpone or adjourn such proceedings and shall, with the approval of the Commissioner, by public notice fix another day for the proceedings so postponed or adjourned and, if necessary, also the day or days for any subsequent proceedings.

18. **Uncontested election.**—(1) Where after scrutiny under section 13 or withdrawal under section 15, the number of validly nominated candidates or, as the case may be, the contesting candidates from a Province is less than or equal to the number of seats to be filled for that Province, the Returning Officer shall, by public notice declare such candidates to be elected to the seats and send a return of election to the Commissioner:

Provided that, if after scrutiny any candidate indicates that he intends to file an appeal under sub-section (5) of section 13 against the rejection of his nomination paper, no person shall be declared elected uncontested until the period for filing such appeal has expired and no such appeal has been filed, or where an appeal is filed, until the disposal of such appeal.

(2) The Commissioner shall publish in the official Gazette the names of the returned candidates.

(3) Where the number of candidates declared elected under sub-section (1) is less than the number of seats to be filled, fresh proceedings shall be commenced in accordance with the provisions of this Act as if for a new election, to fill the seat or, as the case may be, seats remaining vacant.

19. **Contested election.**—If after withdrawals, if any, the number of candidates exceeds the number of seats, the Returning Officer shall, on the appointed day, conduct the poll, after giving a notice thereof to the contesting candidates.

20. **Hours of poll.**—The Returning Officer shall, subject to any direction of the Commissioner, fix the hours during which the poll shall be taken and give public notice of the hours so fixed.

21. **Absence of candidates, etc., not to invalidate acts, etc.**—Where any act or thing is required or authorised by this Act to be done in the presence of a candidate or an agent authorised by him in writing in this behalf, the failure of such person to attend at the time and place appointed for the purpose shall not invalidate any act or thing otherwise validly done.

22. **Adjourned poll.**—(1) If at any time the poll is interrupted or obstructed for reasons beyond the control of the Returning Officer, he may stop the poll and, when he so stops the poll, shall inform the Commissioner of his having done so.

(2) Where a poll is stopped under sub-section (1), the Returning Officer shall immediately report the circumstances to the Commissioner and as soon as may be appoint, with the approval of the Commissioner, a day for a fresh poll and fix the place at which, and the hours during which, such fresh poll shall be taken.

(3) All voters shall be allowed to vote at the fresh poll taken under sub-section (2) and no vote cast at the poll stopped under sub-section (1) shall be counted.

23. **Voting procedure.**—(1) All voters shall be entitled to vote at an election.

(2) No vote shall be given by proxy.

(3) Each voter shall have only one transferable vote irrespective of the number of seats to be filled.

(4) A voter shall cast his vote in the prescribed manner.

(5) The ballot papers shall be in such form as the Commissioner may specify.

(6) The polls shall be by secret ballot.

24. **Proceedings at the close of poll.**—(1) Immediately after the close of poll, the Returning Officer shall proceed with the counting of votes in the prescribed manner.

(2) On the completion of counting, the Returning Officer shall prepare and certify a return of the election and submit the same to the Commissioner in the prescribed manner.

25. **Declaration of result of election.**—On the receipt of the returns of the election under sub-section (2) of section 24, the Commissioner shall publish in the official Gazette the names of the returned candidates.

26. **Return or forfeiture of deposit.**—(1) After the termination of the proceedings relating to an election under section 16 where the proceedings have been so terminated, or after the declaration of result of an election under section 18 or section 25, the deposit made under section 12 in respect of any candidate shall be returned to the person making it or to his legal representative, except the deposit in respect of a candidate for whom no voter has either voted or indicated any preference.

(2) A deposit which is not required to be returned under sub-section (1), shall be forfeited to the Federal Government.

CHAPTER IV.—ELECTION EXPENSES

27. **Election expenses.**—In this Chapter, "election expenses" means any expenditure incurred or payment made, whether by way of gift, loan, advance, deposit or otherwise, for the arrangement, conduct or benefit of, or in connection with, or incidental to, the election of a candidate, including expenditure on account of issuing circulars or publications or otherwise presenting to the voters the candidate or his views, aims or objects, but does not include the deposit made under section 12.

28. **Restriction on election expenses.**—(1) No person shall, except to the extent provided in sub-section (2), make any payment whatsoever towards the election expenses of a candidate except to such candidate.

(2) No person other than a candidate shall incur any election expenses of the candidate:

Provided that any person may, if so authorised by a contesting candidate in writing specifying a maximum amount, to the extent of such amount, make payment for stationery, postage, telegram and other petty expenses.

(3) The election expenses of a contesting candidate shall not exceed five thousand rupees.

29. **Return of election expenses.**—(1) Every contesting candidate shall, within thirty days after the publication of the name of the returned candidates under section 18 or section 25, submit to the Returning Officer a return of election expenses in the prescribed form containing—

(a) a statement of all payments made by the contesting candidate together with all the bills and receipts;

(b) a statement of all disputed claims, if any, of which the contesting candidate is aware;

(c) a statement of all unpaid claims, if any, of which the contesting candidate is aware; and

(d) a statement of all moneys, securities or equivalent of money received from any person for the purpose of election expenses specifying the name of every such person.

(2) The return submitted under sub-section (1) shall be accompanied by an affidavit sworn by the contesting candidate.

30. **Inspection of returns, etc.**—(1) The return and documents submitted under section 29 shall be kept by the Returning Officer in his office or at such other convenient place as he may think fit and shall, during one year from the date of their receipt by him, be open to inspection by any person on payment of the prescribed fee.

(2) The Returning Officer shall, on an application made in this behalf and on payment of the prescribed fee, give any person copies of any return or document kept under sub-section (1) or of any part thereof.

CHAPTER V.—ELECTION DISPUTES

31. **Election not to be questioned except by election petition or appeal.**—(1) Save as provided in section 32, no election shall be called in question except by an election petition under section 34.

(2) No question that can be settled in an appeal under section 32 shall be raised by an election petition or before any court or authority whatsoever, nor shall any question that can be raised by an election petition be raised before any court or authority other than an Election Tribunal.

32. **Appeal against count.**—(1) A contesting candidate who is aggrieved by any proceedings under section 24 relating to the count may prefer an appeal challenging the count to the Commissioner.

(2) An appeal under sub-section (1) may be made by the candidate in person, or through a person authorised in writing by the candidate in this behalf, within three days next following the date of the completion of the count under section 24.

(3) The appeal shall be addressed to the Commissioner and shall be filed with the Commissioner or with the Secretary, Election Commission.

(4) The appeal shall be in the form of a memorandum which shall state the grounds for such appeal and shall be accompanied by as many copies thereof as the number of contesting candidates at an election.

(5) The Commissioner may, after giving the parties concerned an opportunity of being heard,—

(a) dismiss the appeal; or

(b) if he does not dismiss the appeal, determine the result of the election on the count of valid votes as corrected, after adjudicating upon the invalid votes, if any, and make such consequential order as may be necessary.

(6) The decision of the Commissioner on appeal under sub-section (5) shall be final.

33. **Commissioner to have certain powers of a court.**—For the purpose of the disposal of an appeal under section 32, the Commissioner shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (Act V of 1908), when trying a suit in respect of the following matters, that is to say,—

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the discovery and production of documents, articles or things;

(c) issuing commissions for the examination of witnesses;

(d) requiring the deposit of diet and travelling expenses of witnesses;

(e) receiving evidence on affidavits;

(f) granting adjournments; and

(g) summoning and examining *suo moto* any person whose evidence appears to be material.

34. **Election petition.**—An election petition shall be presented to the Commissioner within forty-five days of the publication of the result of the election in the official Gazette and shall be accompanied by a receipt showing that the petitioner has deposited a sum of two thousand rupees at any branch of the National Bank of Pakistan or at a Government Treasury or sub-Treasury in favour of the Commissioner as security for the costs of the petition.

35. **Parties to the petition.**—The petitioner shall join as respondents to his election petition—

(a) all contesting candidates; and

(b) any other candidate against whom any allegation, if any, of any corrupt or illegal practice is made, and shall serve personally or by registered post on each such respondent a copy of his Petition.

Explanation.—In this section and in the following provisions of this Chapter, "corrupt or illegal practice" means a "corrupt practice" or an "illegal practice" within the meaning of Chapter VI.

36. **Contents of petition.**—(1) Every election petition shall contain—

(a) a precise statement of the material facts on which the petitioner relies;

(b) full particulars of any corrupt or illegal practice or other illegal act alleged to have been committed, including as full a statement as possible of the names of the parties alleged to have committed such corrupt or illegal practice or illegal act and the date and place of the commission of such practice or act; and

(c) the relief claimed by the petitioner.

(2) A petitioner may claim as relief any of the following declarations, namely—

(a) that the election of the returned candidate is void; or

(b) that the election of the returned candidate is void and that the petitioner or some other person has been duly elected; or

(c) that the election as a whole is void.

(3) Every election petition and every schedule or annex to that petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Act V of 1908), for the verification of pleadings.

37. **Procedure on receipt of petition by the Commissioner.**—(1) The Commissioner shall return an election petition to the petitioner if he finds that it has not been presented within the time specified in section 34 or is not accompanied by a receipt of the deposit required to be made under that section.

(2) If an election petition is not returned under sub-section (1), the Commissioner shall refer it for trial to a Tribunal.

38. **Appointment of Tribunal.**—(1) For the trial of election petitions under this Act the Commissioner shall appoint as many Election Tribunals as may be necessary.

(2) A Tribunal shall consist of a person who is a Judge of a High Court.

39. **Power to transfer petition.**—(1) The Commissioner, either of his own motion or on an application made in this behalf by any of the parties, may, at any stage, transfer an election petition from one Tribunal to another Tribunal, and the Tribunal to which the election petition is so transferred shall proceed with the trial of the petition from the stage at which it is transferred:

Provided that the Tribunal to which an election petition is so transferred may, if it thinks fit, recall and examine any of the witnesses already examined.

40. **Place of trial.**—The trial of an election petition shall be held at such place or places as the Tribunal may think fit.

41. **Advocate-General to assist the Tribunal.**—The Advocate-General for a Province shall, if a Tribunal so requires, assist the Tribunal at the hearing of an election petition in such manner as it may require.

42. **Appearance before Tribunal.**—Any appearance, application or act before a Tribunal may be made or done by a party in person or by an advocate or any other person entitled or allowed to plead in any civil court and duly appointed to act on his behalf:

Provided that the Tribunal may, where it considers it necessary, direct any party to appear in person.

43. **Procedure before Tribunal.**—(1) Subject to the provisions of this Act and the rules, every election petition shall be tried, as nearly as may be, in accordance with the procedure for the trial of suits under the Code of Civil Procedure, 1908 (Act V of 1908):

Provided that the Tribunal may—

(a) make a memorandum of the substance of the evidence of each witness as his examination proceeds unless it considers that there is special reason for taking down the evidence of any witness in full; and

(b) refuse to examine a witness if it considers that his evidence is not material or that he has been called on a frivolous ground for the purpose of delaying the proceedings.

(2) Subject to the provisions of this Act, the Evidence Act, 1872 (I of 1872) shall apply for the trial of an election petition.

(3) The Tribunal may, at any time, upon such terms and on payment of such fee as it may direct, allow a petition to be amended in such manner as may, in its opinion, be necessary for ensuring a fair and effective trial and for determining the real questions at issue, so however that no new ground of challenge to the election is permitted to be raised.

(4) At any time during the trial of an election petition, the Tribunal may call upon the petitioner to deposit such further sum by way of security, in addition to the sum deposited under section 34, as it may think fit.

44. **Dismissal of petition during trial.**—The Tribunal shall dismiss an election petition, if—

(a) the provisions of section 35 or section 36 have not been complied with; or

(b) the petitioner fails to make the further deposit required under sub-section (4) of section 43.

45. **Powers of the Tribunal.**—(1) The Tribunal shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

(2) For the purpose of enforcing attendance of witnesses, the local limits of the jurisdiction of the Tribunal shall be the territories to which this Act extends.

46. **Further provision relating to evidence and witnesses.**—(1) Notwithstanding anything to the contrary contained in any other law for the time being in force, no document shall be inadmissible in evidence at the trial of an election petition only on the ground that it is not duly stamped or registered.

(2) No witness shall be excused from answering any question as to any matter in issue, or relevant to a matter in issue, in the trial of an election petition upon the ground that the answer to such question may incriminate or tend to incriminate him or that it may expose or tend to expose him to any penalty or forfeiture, but no witness shall be required or permitted to state for whom he has voted at an election.

(3) A witness who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the Tribunal and an answer given by him to a question put by or before the Tribunal shall not, except in the case of any criminal proceeding for perjury in respect of his evidence, be admissible in evidence against him in any civil or criminal proceedings.

(4) A certificate of indemnity granted to any witness under sub-section (3) may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IX A of the Pakistan Penal Code (Act XLV of 1860), or under this Act arising out of the matter to which such certificate relates but it shall not be deemed to relieve him from any disqualification in connection with an election imposed by any law for the time being in force.

(5) The reasonable expenses incurred by any person in attending to give evidence may be allowed to him by the Tribunal and shall, unless the Tribunal otherwise directs, be deemed to be part of the costs.

47. **Recrimination where seat is claimed.**—(1) Where in an election petition a declaration is claimed that a candidate other than the returned candidate has been duly elected, the returned candidate or any other party may produce evidence to prove that the election of such other candidate would have been declared void had he been the returned candidate and had a petition been presented calling his election in question :

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he or it has, within the fourteen days next following the commencement of the trial, given notice to the Tribunal of his or its intention so to do and has also deposited the security referred to in section 34.

(2) Every notice referred to in sub-section (1) shall be accompanied by a statement of the case, and all the provisions relating to the contents, verification, trial and procedure of an election petition, or to the security deposit in respect of an election petition, shall apply to such a statement as if it were an election petition.

48. **Decision of the Tribunal.**—(1) The Tribunal may, upon the conclusion of the trial of an election petition, make an order—

(a) dismissing the petition ;

(b) declaring the election of the returned candidate to be void ;

(c) declaring the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected ; or

(d) declaring the election as a whole to be void.

(2) Save as provided in sub-section (3), the decision of a Tribunal on an election petition shall be final.

(3) Any person aggrieved by a decision of the Tribunal, may, within thirty days of the announcement of the decision, appeal to the Supreme Court on any question, whether of law or fact, arising from the decision.

49. **Ground for declaring election of returned candidate void.**—(1) The Tribunal shall declare the election of the returned candidate to be void if it is satisfied that—

(a) the nomination of the returned candidate was invalid ; or

(b) the returned candidate was not, on the nomination day, qualified for, or was disqualified from, being elected as a member ; or

(c) the election of the returned candidate has been procured or induced by any corrupt or illegal practice ; or

(d) a corrupt or illegal practice has been committed by the returned candidate or by any other person with the consent or connivance of the candidate.

(2) The election of a returned candidate shall not be declared void on the ground—

(a) that any corrupt or illegal practice has been committed if the Tribunal is satisfied that it was not committed by, or with the consent or connivance of, that candidate and that the candidate took all reasonable precaution to prevent its commission ; or

(b) that any of the other contesting candidates was, on the nomination day, not qualified for, or was disqualified from, being elected as a member.

50. **Ground for declaring a person other than a returned candidate elected.**—The Tribunal shall declare the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected, if it is so claimed by the petitioner or any of the respondents and the Tribunal is satisfied that the petitioner or such other contesting candidate was entitled to be declared elected.

51. **Ground for declaring election as a whole void.**—The Tribunal shall declare the election as a whole to be void if it is satisfied that the result of the election has been materially affected by reason of—

(a) the failure of any person to comply with the provisions of this Act or the rules ; or

(b) the prevalence of extensive corrupt or illegal practice at the election.

52. **Other provisions relating to Tribunal.**—(1) An order of a Tribunal under section 48 shall take effect on the date on which it is made and shall be communicated to the Commissioner who shall publish it in the official Gazette.

(2) The Tribunal shall, after an election petition has been disposed of, forward the record thereof to the Commissioner who shall retain it for a period of five years from the date of its receipt and shall thereafter cause it to be destroyed.

53. **Withdrawal of petition.**—(1) An election petition may be withdrawn—

(a) before a Tribunal has been appointed, by leave of the Commissioner; and

(b) after a Tribunal has been appointed, by leave of the Tribunal.

(2) Where leave is granted by the Tribunal, the petitioner shall be ordered to pay the costs incurred by the respondents to the election petition or such portion thereof as the Tribunal may direct.

54. **Abatement on death of petitioner.**—(1) An election petition shall abate on the death of the petitioner or the sole survivor of several petitioners.

(2) Where a petition abates under sub-section (1) after a Tribunal has been appointed, notice of the abatement shall be given by the Tribunal to the Commissioner.

55. **Death or withdrawal of respondent.**—If, before the conclusion of the trial of an election petition, a respondent dies or gives notice in the prescribed form that he does not intend to contest the petition, and no respondent remains to contest the petition, the Tribunal shall, without any further hearing, or after giving such person as it may think fit an opportunity of being heard, decide the case *ex parte*.

56. **Failure of petitioner to appear.**—Where, at any stage of the trial of an election petition, no petitioner makes an appearance, the Tribunal may dismiss the petition for default, and make such order as to costs as it may think fit.

57. **Order as to costs.**—(1) The Tribunal shall, when making an order under section 48, also make an order determining in its discretion the costs and specifying the persons by and to whom such costs are to be paid.

(2) If, in any order as to costs under sub-section (1), there is a direction for the payment of costs by any party to any person, such costs shall, if they have not already been paid, be payable in full, and shall upon application in writing in that behalf made to the Commissioner within six months of the order by the person to whom costs have been awarded, be paid as far as possible, out of the security for costs deposited by such party.

(3) Where no costs have been awarded against a party who has deposited security for costs, or where no application for payment of costs has been made within the aforesaid six months, or where a residue remains after costs have been paid out of the security, such security or the residue thereof, as the case may be, shall, upon application in writing therefor by the person who made the deposit or by his legal representative, be returned by the Commissioner to the person making the application.

(4) Any order for costs may be enforced upon application in writing made to the principal civil court of original jurisdiction of the district in which the person from whom the costs are to be recovered resides or owns property, as if such order were a decree passed by that court:

Provided that no proceeding shall be brought under this sub-section except in respect of costs which have not been recovered by an application under sub-section (2).

CHAPTER VI.—OFFENCES, PENALTY AND PROCEDURE

58. **Corrupt practice.**—A person is guilty of corrupt practice if he—

(a) contravenes the provisions of section 28;

(b) is guilty of bribery, personation or undue influence;

(c) makes or publishes a false statement—

(i) concerning the personal character of a candidate or any of his relations calculated to adversely affect the election of such candidate or for the purpose of promoting or procuring the election of another candidate, unless he proves that he had reasonable grounds for believing, and did believe, the statement to be true; or

(ii) regarding the withdrawal of candidate;

(d) calls upon or persuades any person to vote, or to refrain from voting, for any candidate on the ground that he belongs to a particular religion, community, race, caste, sect or tribe;

(e) knowingly, in order to support or oppose a candidate, lets, lends, employs, hires, borrows or uses any vehicle or vessel for the purpose of conveying to or from the polling station any voter except himself and members of his immediate family; or

(f) causes or attempts to cause any person present and waiting to vote at the polling stateion to depart without voting.

59. **Bribery.**—A person is guilty of bribery if he, directly or indirectly by himself or by any other person on his behalf,—

(1) receives or agrees to receive or contracts for any gratification for voting or refraining from voting, or for being or refraining from being a candidate at, or for withdrawing from, an election;

(2) gives, offers or promises any gratification to any person—

(a) for the purpose of inducing—

(i) a person to be, or to refrain from being, a candidate at an election;

(ii) a voter to vote, or refrain from voting, at an election; or

(iii) a candidate to withdraw from an election; or

(b) for the purpose of rewarding—

(i) a person for having been, or for having refrained from being, a candidate at an election;

(ii) a voter for having voted or refrained from voting at an election ; or

(iii) a candidate for having withdrawn from an election.

Explanation.—In this section "gratification" includes a gratification in money or estimable in money and all forms of entertainment or employment.

60. **Personation.**—A person is guilty of personation if he votes, or applies for a ballot paper for voting, as some other person whether that other person is living or dead or fictitious.

61. **Undue influence.**—A person is guilty of undue influence if he,—

(1) in order to induce or compel any person to vote or refrain from voting, or to offer himself as a candidate, or to withdraw his candidature, at an election, directly or indirectly, by himself or by another person on his behalf,—

(a) makes or threatens to make use of any force, violence or restraint ;

(b) inflicts or threatens to inflict any injury, damage, harm or loss ;

(c) calls down or threatens to call down divine displeasure or the displeasure of any saint or *pir ;*

(d) gives or threatens to give any religious sentence ; or

(e) uses or threatens to use any official influence or governmental patronage ; or

(2) on account of any person having voted or refrained from voting, or having offered himself as a candidate, or having withdrawn his candidature, does any of the acts specified in clause (1) ; or

(3) by abduction, duress or any fraudulent device or contrivance,—

(a) impedes or prevents the free exercise of the franchise by a voter ; or

(b) compels, induces or prevails upon any voter to vote or refrain from voting.

Explanation.—In this section, "harm" includes social ostracism or *ex*-communication or expulsion from any caste or community.

62. **Penalty for corrupt practice.**—Any person guilty of corrupt practice shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

63. **Illegal practice.**—(1) A person is guilty of illegal practice if he—

(a) fails to comply with the provisions of section 29 ;

(b) obtain or procures, or attempts to obtain or procure, the assistance of any person in the service of Pakistan to further or hinder the election of a candidate ;

(c) votes or applies for a ballot paper for voting at an election knowing that he is not qualified for, is disqualified from, voting ;

(d) votes or applies for a ballot paper for voting for more than once in the same polling station ;

(e) removes a ballot paper from a polling station during the poll ; or

(f) knowingly induces or procures any person to do any of the aforesaid acts.

(2) A person guilty of illegal practice shall be punishable with fine which may extend to two thousand rupees.

64. **Prohibition of public meetings, etc., during certain period.**—(1) No person shall convene, hold or attend any public meeting, and no person shall promote or join in any procession within a Province, during a period of forty-eight hours ending at midnight following the conclusion of the poll for any election in that Province.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

65. **Prohibition of canvassing in or near polling station.**—A person is guilty of an offence punishable with fine which may extend to one thousand rupees if he, within a radius of four hundred yards of the polling station, on the polling day,—

(a) canvasses for votes ;

(c) persuades any voter not to vote at the election or for a particular candidate ; or

(d) exhibits, except with the permission of the Returning Officer and at a place reserved for the candidate beyond the radius of one hundred yards of the polling station, any notice, sign, banner or flag designed to encourage the voters to vote, or discourage the voters from voting, for any contesting candidate.

66. **Disorderly conduct near polling station.**—A person is guilty of an offence punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, if he, on the polling day,—

(a) uses, in such manner as to be audible within the polling station, any gramophone, megaphone, loudspeaker or other apparatus for reproducing or amplifying sounds ;

(b) persistently shouts in such manner as to be audible within the polling station ;

(c) does any act which—

(i) disturbs or causes annoyance to any voter visiting a polling station for the purpose of voting, or

(ii) interferes with the performance of the duty of a Returning Officer or a Polling Officer or any other person performing any duty at a polling station ; or

(d) abets the doing of any of the aforesaid acts.

67. **Tampering with papers.**—(1) Except as provided in sub-section (2), a person is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he—

(a) intentionally defaces or destroys any nomination paper, ballot paper or official mark on a ballot paper ;

(b) intentionally takes out of the polling station any ballot paper or puts into any ballot box any ballot paper other than the ballot paper he is authorised by law to put in ;

(c) without due authority—

(i) supplies any ballot paper to any person ;

(ii) destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers in use for the purpose of election ; or

(iii) breaks any seal affixed in accordance with the provisions of this Act or the rules ;

(d) forges any ballot paper or official mark ; or

(e) causes any delay or interruption in the beginning, conduct or completion of the procedure required to be immediately carried out on the close of the poll.

(2) A Returning Officer, Polling Officer or any other Officer or clerk on duty in connection with the election who is guilty of an offence under sub-section (1) shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

68. **Interference with the secrecy of voting.**—A person is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he—

(a) interferes or attempts to interfere with a voter when he records his vote ;

(b) in any manner obtains or attempts to obtain in a polling station information as to the candidate or candidates for whom a voter is about to vote or mark his preferences or has voted and marked his preferences ; or

(c) communicates at any time any information obtained in a polling station as to the candidate or candidates for whom a voter is about to vote or mark his preferences or has voted and marked his preferences.

69. **Failure to maintain secrecy.**—A Returning Officer or Polling Officer, or any candidate or agent of a candidate attending a polling station or any person attending at the counting of votes, is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he—

(1) fails to maintain or aid in maintaining the secrecy of voting ;

(2) communicates to any person before the poll is closed, except for any purpose authorised by any law, any information as to the official mark ; or

(3) communicates any information obtained at the counting of votes as to the candidates for whom any vote is given or a preference is recorded on any particular ballot paper.

70. **Officials not to influence voters.**—A Returning Officer, Polling Officer or any other officer or clerk on duty in connection with an election, or any member of a police force, is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he, in the conduct or management of an election or maintenance of order at a polling station,—

(a) persuades any person to give his vote ;

(b) dissuades any person from giving his vote ;

(c) influences in any manner the voting of any person ; or

(d) does any other act calculated to influence the result of the election.

71. **Breaches of official duty in connection with election.**—A Returning Officer, Polling Officer or any other person employed by any such officer in connection with his official duties imposed by or under this Act or the rules is guilty of an offence punishable with fine which may extend to one thousand rupees if he, wilfully and without reasonable cause, commits breach of any such official duty, by act or omission.

72. **Assistance by Government servant.**—A person in the service of Pakistan is guilty of an offence punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both, if he misuses his official position in a manner calculated to influence the result of the election.

73. **Certain powers of a police officer.**—A police officer may—

(a) arrest without warrant, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), any person—

(i) who commits personation or an offence under section 66 if the Returning Officer directs him to so arrest such person ;

(ii) who, being removed from the polling station by the Returning Officer, commits any offence at the polling station ;

(b) remove any notice, sign, banner flag used in contravention of section 65 ; and

(c) seize any instrument or apparatus used in contravention of section 66 ;

and take such steps, including use of force, as may be reasonably necessary for preventing such contravention.

74. **Certain offences cognizable.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), an offence under section 58 or section 65 or sub-section (1) of section 67 shall be a cognizable offence.

75. **Prosecution for offences by public officers.**—(1) No court shall take cognizance of an offence under sub-section (2) of section 67, section 69, section 70, section 71 or section 72, except upon a complaint in writing made by order of, or under authority from, the Commissioner.

(2) The Commissioner shall, if he has reasons to believe that any offence specified in sub-section (1) has been committed, cause such inquiries to be made or prosecution to be instituted as he may think fit.

76. **Limitation for prosecution for corrupt or illegal practices.**—No prosecution for an offence under section 58 or section 65 shall be commenced except—

(a) within six months of the commission of the offence ; or

(b) if the election at which the offence was committed in subject to an election petition and the Tribunal has made an order in respect of such offence, within three months of the date of such order.

CHAPTER VII.—BYE-ELECTION

77. **Casual vacancies.**—When, before the expiration of the term of office of a member elected to the Senate, his seat becomes vacant or is declared vacant or his election to the Senate is declared void, the Commissioner shall, by notification in the official Gazette, call upon the elected members of the Provincial Assembly by the members of which the member was elected to elect a person for the purpose of filling the vacancy so caused before such date as may be specified in the notification ; and the provisions of this Act and of the rules shall apply, as far as may be, in relation to the election of a member to fill such vacancy.

CHAPTER VIII.—DISQUALIFICATIONS

78. **Disqualification.**—A person shall be disqualified from being elected as and from being, a member of the Senate, if—

(a) he has been, on conviction for any offence, sentenced to imprisonment for a term of not less than two years, unless a period of five years has elapsed since his release ; or

(b) he has been dismissed or removed or compulsorily retired from the service of Pakistan, unless a period of five years has elapsed since his dismissal or removal or compulsory retirement ; or

(c) he, whether by himself or by any person in trust for him or for his benefit or on his account or as a member of a Hindu undivided family, has any share or interest in a contract, not being a contract between a co-operative society and Government, for the supply of goods to, or for the execution of any work or the performance of any service undertaken by, Government :

Provided that the disqualification under this clause shall not apply to a person :—

(i) where the share or interest in the contract devolves on him by inheritance or succession or as a legatee, executor or administractor, until the expiration of six months after it has so devolved on him ; or

(ii) where the contract has been entered into by or on behalf of a public company as defined in the Companies Act, 1913 (VII of 1913), of which he is a shareholder but is neither a director nor a person holding an office of profit under the company nor a managing agent ; or

(iii) where the contract entered into by him in the course of his trade or business with the Government for the supply of goods to, or for the execution of any work or the performance of any service undertaken by, Government does not subsist;

Explanation.—A contract shall not be deemed to subsist by reason only of the fact that the person was enrolled as a contractor with the Government or that the Government has not performed its part of the contract, either wholly or in part.

(iv) where he is a member of a Hindu undivided family and the contract has been entered into by any other member of that family in the course of carrying on a separate business in which he has no share or interest;

(d) he is a managing agent, manager or secretary of, or holds any other office carrying the right to remuneration in, any company or corporation (other than a cooperative society) in the capital of which the Government has not less than twenty-five per cent share or which is managed by Government; or

(e) he is found guilty of a corrupt or illegal practice under any other law for the time being in force, unless a period of five years has elapsed from the date on which that order takes effect; or

(f) he holds any office of profit in the service of Pakistan other than the following offices, namely:—

(i) an office which is not a whole time office remunerated either by salary or by fee;

(ii) the office of Lambardar, whether called by this or any other title;

(iii) the Qaumi Razakars; and

(iv) any office the holder whereof, by virtue of holding such office, is liable to be called up for military training or military service under any law providing for the constitution or raising of a force;

Explanation.—For the avoidance of doubt, it is hereby declared that a Judge of the Supreme Court or a High Court, the Auditor-General and an Advocate-General are persons holding office of profit in the service of Pakistan.

79. **Disqualification on account of certain offences.**—Where a person has been convicted for having exceeded the limit of election expenses laid down by section 28 or having failed to file the return of election expenses in accordance with section 29 or for any other offence under this Act, not being an offence for which he has been sentenced to imprisonment for a term of not less than two years, or has been found guilty of any corrupt or illegal practice by a Tribunal, he shall, if the Commissioner makes an order to that effect, be disqualified, for such period not exceeding five years as may be specified in the order, from being, or being elected as, a member of the Senate.

80. **Removal and remission of disqualification.**—The Commissioner may, on an application made in this behalf, remit any disqualification for failure to submit the return of election expenses or for any error or incorrect statement in such return, if he is satisfied that such failure or error occurred or incorrect statement was made due to circumstances beyond the control of the applicant.

CHAPTER IX.—MISCELLANEOUS

81. **Extension of time for completion of election.**—It shall be competent for the Commissioner, for reasons which he considers sufficient, to extend the time for the completion of any election by making necessary amendments in the notification issued under section 10.

82. **Term of office.**—(1) The term of office of a member of the Senate shall commence on the date of the first meeting of the Senate held after the names of the persons elected to the Senate are notified by the Election Commission :

Provided that the term of office of a member elected in the year 1973 and having a term of four years shall expire after completion of four years from the date of making the oath under Article 65.

(2) If the election of a member is declared void and another candidate is declared to have been duly elected in his place, the term of such candidate shall be the unexpired term of such member.

(3) If the election of all the members declared elected under section 18 or section 25 is declared void, the term of the members elected in their places shall be the unexpired term of the members whose election is declared void.

83. **Vacancy in membership of Provincial Assemblies not to invalidate election.**—No election by the members of a Provincial Assembly shall be called in question on the ground merely of the existence of any vacancy in the membership of that Provincial Assembly.

84. **Commissioner to ensure fair election, etc.**—Save as otherwise provided, the Commissioner may issue such instructions and exercise such powers including the power to review an order passed by any officer under this Act or the rules, and make such consequential orders, as may, in his opinion, be necessary for ensuring that an election is conducted honestly, justly and fairly and in accordance with the provisions of this Act and the rules.

85. **Directions of Commissioner in certain matters.**—Anything required to be done to carry out the purposes of this Act for which no provision or no sufficient provision exists shall be done by such authority and in such manner as the Commissioner may direct.

86. **Jurisdiction of courts barred.**—No court shall question the legality of any action taken in good faith by, or under the authority of, the Commissioner, a Returning Officer or a Polling Officer or any decision given by any of them or by any other officer or authority appointed under this Act or the rules.

87. **Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Commissioner or any officer or other person in respect of anything which is in good faith done or intended to be done under or in pursuance of this Act or any rule or order made, or direction given, thereunder.

88. **Power to make rules.**—(1) The Federal Government may, in consultation with the Commissioner, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the duties of Returning Officers and Polling Officers at polling stations ;

(b) the identification of voters ;

(c) the manner in which votes are to be given both, generally and in the case of illiterate voters or voters under physical or other disability ;

(d) the procedure as to voting to be followed at elections held in accordance with the system of proportional representation by means of the single transferable vote ;

(e) the scrutiny and counting of votes, including cases in which a re-counting of votes should be made before the declaration of the result of election ;

(f) the safe custody of ballot boxes, ballot papers and other election papers, the period for which such papers shall be preserved and the inspection and production of such papers ;

(g) the appointment of agents of candidates ; and

(h) any other matter which is to be or may be prescribed under this Act.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 26th July, 1975

The following Acts of Parliament received the assent of the President on the 21st July, 1975, and are hereby published for general information :—

ACT NO. LII OF 1975

An Act further to amend the Legal Practitioners and Bar Councils, Act, 1973

WHEREAS it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Legal Practitioners and Bar Councils (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 16, Act XXXV of 1973.**—In the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), in section 16, for clauses (a) and (b) the following shall be substituted, namely :—

"(a) in the case of the Pakistan Bar Council, the vacancy shall be filled by a person elected in accordance with the provisions of section 11 ; and

(b) in the case of a Provincial Bar Council, the vacancy shall be filled by the person who received, in the same election and from the same district or, as the case may be, group of districts, the highest number of votes next after the member the vacancy in whose seat is to be filled, or if there be no such person, by a person eligible for election to that Council from the same district or, as the case may be, group of districts who is co-opted by the Provincial Bar Council. ".

Price : Ps. 25

[3039 Ex. Gaz.]

ACT No. LIII OF 1975

An Act to amend the National Registration Act, 1973

WHEREAS it is expedient to amend the National Registration Act, 1973 (LVI of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the National Registration (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act LVI of 1973.**—In the National Registration Act, 1973 (LVI of 1973), hereinafter referred to as the said Act, in section 2, in clause (c), for the words "Deputy Registrar-General or a District Registrar or Registrar" the words "Joint Registrar-General or Deputy Registrar-General or Assistant Registrar-General or District Registrar or Registrar or Inspector" shall be substituted.

3. **Amendment of section 3, Act LVI of 1973.**—In the said Act, in section 3,—

(a) in sub-section (1), for clauses (b), (c) and (d) the following shall be substituted, namely:—

"(b) a Joint Registrar-General and as many Deputy Registrars-General, Assistant Registrars-General, District Registrars, Registrars and Inspectors as it may consider necessary"; and

(b) for sub-section (2) the following shall be substituted, namely:—

"(2) The Joint Registrar-General and every Deputy Registrar-General, Assistant Registrar-General, District Registrar, Registrar and Inspector shall exercise his powers and perform his functions under this Act and the rules—

(a) within such area as the Registrar-General, subject to the general supervision and control of the Federal Government, may direct; and

(b) under the general supervision and control of, and in accordance with such instructions as may be given in this behalf by, the Registrar-General.".

4. **Amendment of section 4, Act LVI of 1973.**—In the said Act, in section 4,—

(a) for sub-section (2) the following shall be substituted, namely:—

"(2) An application for registration shall be made in such form and to such authority as may be prescribed."; and

(b) after sub-section (2) substituted as aforesaid, the following new sub-section shall be added, namely:—

"(3) The birth of a newly born citizen, and the death of a citizen who has not attained the age of eighteen years, shall be reported to the District Registrar by such authority or officer as may be prescribed.".

5. **Amendment of section 5, Act LVI of 1973.**—In the said Act, in section 5, in sub-section (1), for the words and figure "containing the particulars set out in Schedule II to this Act" the words "in the prescribed form" shall be substituted.

6. **Amendment of section 11, Act LVI of 1973.**—In the said Act, section 11 shall be re-numbered as sub-section (1) of that section and, after sub-section (1) re-numbered as aforesaid, the following new sub-section shall be added, namely :—

> "(2) Any person who attests or verifies any statement or information made or furnished for the purpose of this Act which he knows or has reason to believe to be false in any material particular or which he does not believe to be true shall be punishable with fine not exceeding one thousand rupees, or with simple imprisonment for a period not exceeding three months, or with both.".

7. **Insertion of new section 17A, Act LVI of 1973.**—In the said Act, after section 17, the following new section shall be inserted, namely :—

> "17A. *Power to exempt.*—The Registrar-General or an officer authorised by him in this behalf may, by order, in special circumstances to be recorded in writing, exempt any person or class of persons from the requirement of possessing or producing an identity card for any purpose for which it is required by or under this Act to be possessed or produced.".

8. **Omission of Schedules I and II, Act LVI of 1973.**—In the said Act, Schedule I and Schedule II shall be omitted.

ACT NO. LIV OF 1975

An Act further to amend the Insurance Act, 1938

WHEREAS it is expedient further to amend the Insurance Act, 1938 (IV of 1938), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Insurance (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendment, Act IV of 1938.**—In the Insurance Act, 1938 (IV of 1938), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 29, Act IV of 1938.**—In the said Act, in section 29, in sub-section (8),—

(a) in clause (c),—

(i) for sub-clause (iii) the following shall be substituted, namely :—

"(iii) the loan does not exceed such amount as may be prescribed and is subject to such conditions, including conditions as to interest and the time allowed for its payment, as may be prescribed ;" ; and

(ii) after sub-clause (iii) substituted as aforesaid, the following new sub-clause shall be added, namely :—

"(iv) the aggregate of such loans in respect of the life insurance business of the insurer does not exceed such amount as may be prescribed ;" ; and

(b) in clause (d),—

(i) in the proviso, after the word "insurer", the words "other than the State Life Insurance Corporation of Pakistan" shall be inserted and for the full stop at the end a colon shall be substituted ; and

(ii) after the proviso amended as aforesaid, the following further proviso shall be added, namely :—

"Provided further that, in respect of the life insurance business of an insurer, the total amount outstanding in respect of temporary advances made on or after the 1st January, 1975, shall not exceed at any time one-tenth of one per cent of the life insurance fund in the case of employees on the one hand and one-tenth of one per cent of the life insurance fund in the case of insurance agents and employers of agents on the other.".

4. **Amendment of section 40A, Act IV of 1938.**—In the said Act, in section 40A,—

(a) in sub-section (1), in the proviso,—

(i) in clause (c), after the semi-colon at the end, the word "and" shall be added :

(ii) for clauses (d), (e) and (f) the following shall be substituted, namely :—

"(d) the proportion of business not lapsing out of the business procured by the agent to the business so procured." ; and

(b) in sub-section (3A), in the proviso, for clauses (d), (e), (f), (g) and (h) the following shall be substituted, namely :—

"(d) the proportion of business not lapsing out of the business procured by the employer of agents to the business so procured ; and

(e) the number of employers of agents intervening between the insurer and the insurance agents.".

5. **Amendment of section 42A, Act IV of 1938.**—In the said Act, in section 42A, in sub-section (5), in clause (iv), after the brackets and figure "(iv)", the words and comma "except in such circumstances as may be prescribed," shall be inserted.

6. **Amendment of section 114, Act IV of 1938.**—In the said Act, in section 114, after sub-section (1), the following new sub-section shall be inserted, namely :—

"(1A) Such rules made within three months of the commencement of the Insurance (Amendment) Act, 1975, to prescribe the matters to be prescribed for the purposes of section 40A may be made so as to have effect from any day not earlier than the first day of December, 1974.".

7. **Amendment of section 120B, Act IV of 1938.**—In the said Act, in section 120B, for the words "East Pakistan and in any other" the word "any" shall be substituted.

8. **Repeal.**—The Insurance (Amendment) Ordinance, 1975 (VI of 1975) is hereby repealed.

ACT NO. LV OF 1975

An Act to determine the salary, allowances and privileges of the Chief Election Commissioner.

WHEREAS it is expedient to determine the salary, allowances and privileges of the Chief Election Commissioner;

It is hereby enacted as follows :—

1. **Short title and commencement.**—This Act may be called the Chief Election Commissioner (Salary, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Commissioner" means the Chief Election Commissioner appointed under clause (1) of Article 213 of the Constitution ; and

(b) "Constitution" means the Constitution of the Islamic Republic of Pakistan.

3. **Salary, allowances and privileges.**—A Commissioner shall be entitled to the same salary, allowances and privileges as a Judge of the Supreme Court :

Provided that, if a person who has retired from the service of Pakistan is appointed as Commissioner after the commencement of this Act, he shall not be entitled to his pension for the period, he holds the office of Commissioner.

4. **Provident Fund.**—The Commissioner may, at his option, become a subscriber to the General Provident Fund and, if he so opts, shall subscribe to the Fund as a compulsory subscriber according to the General Provident Fund (Central Services) Rules.

5. **Leave.**—(1) A Commissioner who, within the period of seven days immediately preceding his appointment as such, was in the service of Pakistan shall carry with him in his said appointment the leave earned by him and standing to his credit while in such service and may be granted leave by the President under the rules applicable to him while in such service ; and his service as Commissioner shall count for the grant of leave under the said rules.

(2) A Commissioner who, within the period of seven days immediately preceding his appointment as such, was not in the service of Pakistan may be granted leave by the President as follows :

(a) leave on leave salary equivalent to full pay at the rate of one eleventh of the period spent on duty ;

(b) leave on leave salary equivalent to half pay at the rate of one eleventh of the period spent on duty, such leave being convertible into leave on full pay at the rate of two days of leave on half pay equal to one day's leave on full pay, if it is availed of on medical grounds ; and

(c) extraordinary leave without pay or allowances for a period not exceeding three months during his full term of three years, subject to a maximum of two months at any one time, the Commissioner being entitled to combine such leave with any other kind of leave admissible to him.

6. **Repeal.**—The Chief Election Commissioner (Conditions of Service) Rules, 1962, are hereby repealed.

ACT NO. LVI OF 1975

An Act to amend the Newspaper Employees (Conditions of Service) Act, 1973

WHEREAS it is expedient to amend the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Newspaper Employees (Conditions of Service) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act LVIII of 1973.**—In the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), hereinafter referred to as the said Act, in section 2, after clause (g), the following new clause shall be inserted, namely :—

"(gg) 'Tribunal' means a Tribunal constituted under section 12A;".

3. **Insertion of new section 12A, Act LVIII of 1973.**—In the said Act, after section 12, the following new section 12A shall be inserted, namely :—

"12A. *Tribunal.*—(1) The Federal Government may, by notification in the official Gazette, constitute a Tribunal consisting of one member to implement the decision of the Board under section 11.

(2) The member of the Tribunal shall be a person who is or has been or is qualified to be a Judge of a High Court and shall be appointed on such terms and conditions as the Federal Government may determine.".

4. **Amendment of section 13, Act LVIII of 1973.**—In the said Act, in section 13,—

(a) in sub-section (1), for the word "Commission" the word "Tribunal" shall be substituted;

(b) in sub-section (3),—

(i) for the word "Commission" the word "Tribunal" shall be substituted; and

(ii) for the word "it" the words "the Commission" shall be substituted; and

(c) after sub-section (3), the following new sub-section shall be added, namely :—

"(3A) The Tribunal shall have the power to issue a direction which a Labour Court has under sub-section (1) of section 51 of the Ordinance.".

5. **Insertion of section 13A, Act LVIII of 1973.**—In the said Act, after section 13 amended as aforesaid, the following new section shall be inserted, namely :—

"13A. *Appeal from sentence of Tribunal.*—Any person convicted and sentenced by the Tribunal under section 55 of the Ordinance to imprisonment for any period not less than six months may, with the leave of the Supreme Court, prefer an appeal to that Court.".

6. **Repeal.**—The Newspaper Employees (Conditions of Service) (Amendment) Ordinance, 1975 (VII of 1975) is hereby repealed.

ACT No. LVII OF 1975

An Act to amend the National Guards Act, 1973

WHEREAS it is expedient to amend the National Guards Act, 1973 (LXI of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the National Guards (Amendment) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the twelfth day of August, 1973.

2. **Amendment of section 1, Act LXI of 1973.**—In the National Guards Act, 1973 (LXI of 1973), hereinafter referred to as the said Act, in section 1, for sub-section (3) the following shall be substituted, namely:—

"(3) It shall come into force at once:

Provided that nothing in this Act shall be deemed to authorize the punishment of any person for any act or omission which was not punishable before the 24th day of December, 1973.".

3. **Substitution of section 28, Act LXI of 1973.**—In the said Act, for section 28 the following shall be substituted, namely:—

"28. *Training.*—Such training, including yearly camps, shall be imparted to the college students and members of the college staff selected for training as may be laid down by the prescribed officer from time to time.".

4. **Amendment of section 29, Act LXI of 1973.**—In the said Act, in section 29,—

(a) for the words and comma "On successful completion of training a person" the words and commas "A person who has either successfully completed the training or, having successfully completed not less than seventy five per cent of the total training periods, is still undergoing training" shall be substituted; and

(b) for clause (c) the following shall be substituted, namely:—

"(c) he shall, for the purpose of admission to any institution of advanced studies, be awarded twenty marks in addition to the marks obtained by him in the examination held for the purpose of such admission or, if no such examination is held, in the examination on the basis of having qualified in which he seeks such admission:

Provided that, in respect of the period preceding the enactment of the National Guards (Amendment) Act, 1975, this section shall have effect as if for the words "seventy five per cent" therein the words "fifty per cent" were substituted.".

5. **Substitution of section 33, Act LXI of 1973.**—In the said Act, for section 33 the following shall be substituted, namely:—

"33. *Training.*—Such training, including yearly camps, shall be imparted to the women selected for training as may be laid down by the prescribed officer from time to time.".

6. **Amendment of section 35, Act LXI of 1973.**—In the said Act, in section 35,—

(a) for the words and comma "On successful completion of training, a person" the words and commas "A person who has either successfully completed the training or, having successfully completed not less than seventy five per cent of the total training periods, is still undergoing training" shall be substituted ; and

(b) for clause (c) the following shall be substituted, namely :—

"(c) she shall, for the purpose of admission to any institution of advanced studies, be awarded twenty marks in addition to the marks obtained by her in the examination held for the purpose of such admission or, if no such examination is held, in the examination on the basis of having qualified in which she seeks such admission :

Provided that, in respect of the period preceding the enactment of the National Guards (Amendment) Act, 1975, this section shall have effect as if for the words "seventy five per cent" therein the words "fifty per cent" were substituted.".

7. **Amendment of section 40, Act LXI of 1973.**—In the said Act, in section 40,—

(a) the word and comma "training," shall be omitted ; and

(b) after the word "Act" at the end, the words "and for the training of persons enrolled" shall be added.

8. **Insertion of new section 40A, Act LXI of 1973.**—In the said Act, after section 40 amended as aforesaid, the following new section shall be inserted, namely :—

"40A. *Rules and regulations to have retrospective effect.*—Any rule or regulation made before the enactment of the National Guards (Amendment) Act, 1975, shall be deemed to have been validly made and taken effect on the twelfth day of August, 1973 ; and any rule or regulation made within thirty days of such enactment may be made so as to have retrospective effect from any day not earlier than that day.".

9. **Validation.**—Notwithstanding any judgement of any court, any training or certificate provided for in the National Guards Act, 1973 (LXI of 1973), which may have been imparted or granted before the promulgation of this Act shall be deemed to have been validly imparted or granted under the said Act as if this Act were in force at the time when such training or certificate was imparted or granted.

10. **Repeal.**—The National Guards (Amendment) Ordinance, 1975 (IV of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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ISLAMABAD, MONDAY, JULY 28, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 28th July, 1975

The following Acts of Parliament received the assent of the President on the 23rd July, 1975, and are hereby published for general information :—

ACT No. LVIII OF 1975

An Act to determine the salary, allowances and privileges of the President

WHEREAS it is expedient to determine the salary, allowances and privileges of the President and to make provision for enabling him to discharge conveniently and with dignity the duties of his office ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the President's Salary, Allowances and Privileges Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "family of the President" includes the President's wife and such of his children, step-children, parents, brothers and sisters as ordinarily reside with and are wholly dependent upon him ;

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[3045 Ex. Gaz.]

(b) "furnishings" means pictures, paintings, curios, linen, glass-ware, brass-ware, cutlery, crockery, kitchen equipment, radios, radio-grams, lamps, public address systems, projectors, television sets of all kinds, accoustical equipment and similar other articles;

(c) "furniture" includes carpets, sofa covers, curtains, refrigerators, air-conditioners, washing machines and similar other articles;

(d) "Government" means the Federal Government;

(e) "maintenance",—

(i) in relation to official residence, includes the maintenance and replenishing of furniture and furnishings, payment of local rates and taxes, maintenance of roads and electric, water, gas and sanitary fixtures and installations, and the provision of electricity, gas and water;

(ii) in relation to rivercraft, includes expenditure on the pay of the establishment maintained in connection therewith, and on their victualling while afloat, and expenditure on the purchase of marine stores; and

(iii) in relation to official cars and aircraft, includes the pay and allowances of chauffeurs, pilots and other establishment and the provision of oil and petrol;

(f) "official cars", "railway saloons", "rivercraft" and "aircraft" mean such cars, railway saloons, rivercraft and aircraft, if any, as are from time to time provided for use by the President;

(g) "official residence" means the house specified in the First Schedule and such other premises in Pakistan as the President may use as his official residence, and includes the staff quarters and other buildings appurtenant thereto and the gardens thereof;

(h) "prescribed" means prescribed by rules to be made by the Government;

(i) "year" means a year commencing on the first day of July and ending on the thirtieth day of June next following; and

(j) other words and expressions used in this Act and not defined shall have the meanings assigned to them in the Constitution of the Islamic Republic of Pakistan or the Fundamental and Supplementary Rules.

3. **Annual Salary.**—The annual salary to be paid to the President shall be rupees sixty-five thousand free of income-tax.

4. **Equipment allowance.**—The President may, on his assumption of office as such, draw five thousand rupees as an allowance for equipping himself, once on first appointment only.

5. **Allowances on taking up and laying down the office.**—(1) The President shall be entitled to travelling allowances to the extent mentioned below for the journey from his place of residence in Pakistan to the official residence on taking up office and from the official residence to his place of residence on laying down office:—

(a) the actual travelling expenses for himself and his family;

(b) the cost of transporting personal servants, not exceeding three, by the lowest class of accommodation ; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of taking up or laying down office, as the case may be.

6. **Official residence, railway saloons, rivercraft, aircraft and official cars.**—(1) Throughout his term of office the President shall be entitled, without payment of rent or hire, to the use of his official residence, and of the railway saloons, rivercraft, aircraft and official cars, and no charge shall fall on him personally in respect of the maintenance thereof :

Provided that the President shall not, except when proceeding on or returning from leave, be entitled to the use of the railway saloons, rivercraft, aircraft or official cars during any period for which he is on leave.

(2) No claim shall lie for any trael or transportation not performed within President.

7. **Discretionary grant, sumptuary allowance and other allowances.**—There shall be paid in each year to the President—

(a) an allowance for expenses connected with the purposes specified in the Second Schedule, not exceeding the maximum amounts specified in that Schedule :

Provided that the President may, without exceeding the maximum specified in column 7 of the aforesaid Schedule, reappropriate, whenever necessary, from any sub-head in that Schedule to any other sub-head therein, except to or from the sub-heads relating to discretionary grant and sumptuary allowance ;

(b) an allowance for expenses connected with improvements in and maintenance of the official residence and the maintenance of the furniture and furnishings thereof, not exceeding the maximum amount specified in the Third Schedule :

Provided that the President may, without exceeding the maximum specified in column 5 of the aforesaid Schedule, reappropriate, whenever necessary, from one sub-head in that Schedule to another sub-head therein.

8. **Payment of further amounts.**—There shall be paid from time to time to the President such further amounts as may be necessary to enable him to discharge conveniently and with dignity the duties of his office as he may by general or special order authorise, and any such order may be given retrospective effect whenever necessary.

9. **Payment on account of deferred pay, etc., of officers.**—Nothing in this Act shall apply to any payment on account of the deferred pay, leave salaries, allowances, cost of passage or increments due to any officer provision for whose pay is made in the Second Schedule, and the amount of such payment shall be in addition to the maximum amounts specified in that Schedule.

10. **Amounts to be included in estimates of expenditure.**—The President may, subject to any general or special order made by him, include the amounts in any year in the estimates of expenditure for the purpose of giving effect to the provisions of this Act, and such amounts shall be charged upon and paid out of the Federal Consolidated Fund.

11. **Compensation in case of air accident.**—(1) If the President, while travelling by air, on official duty, by any flight scheduled or unscheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of two lakh and fifty thousand rupees, in the case of death, and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the President and, in the case of death, to such member or members of his family, or, if there by no such member, such other person or persons as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, and may also be revoked or altered, by a notice in writing signed by the President and addressed to the Accountant General, Pakistan Revenues.

12. **Leave of absence.**—(1) The President may avail himself of leave of absence during his term of office, at any one time or from time to time, for urgent reasons of health or private affairs for a period not exceeding four months in the aggregate:

Provided that the President may extend this period of four months in which case the reasons for the extension shall be recorded in a minute:

Provided further that the President shall also be entitled to the un-utilized period of leave of four months immediately after laying down his office.

(2) The leave allowance of the President shall be four thousand rupees per mensem and shall be subject to income-tax.

13. **Medical facilities.**—The President and the family of the President shall be entitled to medical facilities in accordance with the Special Medical Attendance Rules:

Provided that he and his family shall ordinarily be entitled to receive medical treatment at his residence:

Provided further that the President may, if so advised by his physician, receive medical treatment abroad or consult a foreigner or a physician other than his own and receive such other treatment as may be prescribed.

14. **Customs-duties or sales tax not leviable on certain articles.**—(1) No custom-duties or sales tax shall be levied on the following articles if imported or purchased out of bond by the President on appointment or during his tenure of office, namely:—

(a) articles for the personal use, wear or consumption of the President or any member of the family of the President provided that the cost thereof shall not exceed fifty thousand rupees per annum;

(b) one car, the cost of which shall not exceed seventy-five thousand rupees, for his personal use during the tenure of his office ;

(c) foodstuffs and tobacco for consumption by the President, members of his family and his guests, whether official or not ;

(d) articles for furnishing of the President's official residence ; and

(e) official cars, rivercraft or aircraft.

(2) No custom-duties or sales tax shall be levied on tobacco imported by manufacturers in Pakistan for the manufacture of cigarettes, and no excise duty shall be levied on indigenous tobacco used in Pakistan in the manufacture of cigarettes and on cigarettes manufactured in Pakistan, when such cigarettes are for consumption by the President, members of his family or the guests referred to in clause (c) of sub-section (1).

(3) No excise duty shall be levied on indigenous petrol and petroleum products when such petrol or petroleum products are for use in the official cars, rivercraft and aircraft referred to in clause (e) of sub-section (1).

15. **Provident Fund.**—The President may, at his option, become a subscriber to the General Provident Fund and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

16. **Act to have effect subject to instructions, etc.**—This Act shall have effect subject to such instructions, rules, exceptions, further concessions or easements, as the Government may, from time to time, prescribe or grant.

17. **Repeal.**—The President's Remuneration and Privileges Order, 1962 (P.O. No. 9 of 1962), is hereby repealed.

FIRST SCHEDULE

[*See* section 2 (g)]

OFFICIAL RESIDENCE

The Presidency, Rawalpindi

SECOND SCHEDULE

[*See* section 7 (a)]

Maximum yearly amounts for expenditure in respect of certain matters.

Discretionary Grant	Sumptuary Allowances	Staff including dispensary establishment	Contract Allowance including maintenance of gardens	State conveyance including motor cars and their replacement	Tour expenses	Total
1	2	3	4	5	6	7
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
2,00,000	1,50,000	11,20,000	6,00,000	2,60,000	3,00,000	26,30,000

Note :—Sumptuary allowance is exclusive of the expenditure on national celebrations provision for which is made under " Contract Allowance ".

THIRD SCHEDULE

[*See* section 7 (b)]

Maximum yearly amounts for improvement and maintenance of official residence.

Improvement, repairs and maintenance of residence including maintenance and replenishment of furniture	Rates and Taxes	Water	Electricity	Total
1	2	3	4	5
Rs.	Rs.	Rs.	Rs.	Rs.
10,60,000	2,20,000		4,00,000	16,80,000

ACT No. LIX OF 1975

An Act to determine the salary, allowances and privileges of the Prime Minister

WHEREAS it is expedient to determine the salary, allowances and privileges of the Prime Minister and to make provision for enabling him to discharge conveniently and with dignity the duties of his office ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Prime Minister's Salary, Allowances and Privileges Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1973.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "family" means the Prime Minister's wife and such of his children and step-children as ordinarily reside with and are wholly dependent upon him ;

(b) "furnishings" means pictures, paintings, curios, linen, glass-ware, brass-ware, cutlery, crockery, kitchen equipment, radios, radiograms, lamps. public address systems, projectors, television sets of all kinds, accoustical equipment and similar other articles ;

(c) "furniture" includes carpets, sofa covers, curtains, refrigerators, air-conditioners, washing machines and similar other articles ;

(d) "Government" means the Federal Government ;

(e) "maintenance",—

(i) in relation to official residence, includes the maintenance and replenishing of furniture and furnishings, payment of local rates and taxes, maintenance of roads and electric, water, gas and sanitary fixtures and installations, and the provision of electricity, gas and water;

(ii) in relation to rivercraft, includes expenditure on the pay of the establishment maintained in connection therewith, and on their victualling while afloat, and expenditure on the purchase of marine stores; and

(iii) in relation to official cars and aircraft, includes the pay and allowances of chauffeurs, pilots and other establishment and the provision of oil and petrol;

(f) "official cars", "railway saloons", "rivercraft" and "aircraft" mean such cars, railway saloons, rivercraft and aircraft, if any, as are from time to time provided for use by the Prime Minister;

(g) "official residence" means the house specified in the First Schedule and such other premises in Pakistan as the Prime Minister may use as his official residence, and includes the staff quarters and other buildings appurtenant thereto and the gardens thereof;

(h) "prescribed" means prescribed by rules to be made by the Government;

(i) "year" means a year commencing on the first day of July and ending on the thirtieth day of June next following; and

(j) other words and expressions used in this Act and not defined shall have the meanings assigned to them in the Constitution of the Islamic Republic of Pakistan or the Fundamental and Supplementary Rules.

3. **Salary.**—The salary to be paid to the Prime Minister shall be five thousand rupees per mensem.

4. **Equipment allowance.**—The Prime Minister may, on his assumption of office as such, draw five thousand rupees as an allowance for equipping himself:

Provided that, during the ten years immediately preceding the assumption of that office he had not drawn an allowance for the same purpose upon election or appointment to the office of President, Prime Minister, Chairman, Speaker, Federal Minister, Governor or Minister of State or a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) The Prime Minister shall be entitled to claim actual expenses to the extent mentioned below for the journey from his ordinary place of residence to the seat of Government on taking up office and from the seat of Government to his ordinary place of residence on laying down office:—

(a) the actual travelling expenses for himself and his family;

(b) the cost of transporting personal servants, not exceeding three, by the lowest class of accommodation; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of assuming or laying down office, as the case may be.

6. **Official residence, railway saloons, rivercraft, aircraft and official cars.**—(1) Throughout his term of office, the Prime Minister shall be entitled without payment of rent or hire to the use of his official residence, and of the railway saloons, rivercraft, aircraft and official cars, and no charge shall fall on him personally in respect of the maintenance thereof:

Provided that the Prime Minister shall not, except when proceeding on or returning from leave, be entitled to the use of the railway saloons, rivercraft, aircraft or official cars during any period for which he is on leave.

(2) The provisions of sub-section (1) shall also apply to the family of the Prime Minister.

(3) The Prime Minister may requisition a special railway train for journeys on official duty.

7. **Discretionary grant, sumptuary allowance and other allowances.**—There shall be paid in each year to the Prime Minister—

(a) an allowance for expenses connected with the purposes specified in the Second Schedule, not exceeding the maximum amounts specified in that Schedule:

Provided that the Prime Minister may, without exceeding the maximum specified in column 7 of the aforesaid Schedule, reappropriate, whenever necessary, from one sub-head in that Schedule to any other sub-head therein, except to or from the sub-heads relating to discretionary grant and sumptuary allowance;

(b) an allowance for expenses connected with improvements in and maintenance of the official residence and maintenance of the furniture and furnishings thereof, not exceeding the maximum amounts specified in the Third Schedule:

Provided that the Prime Minister may, without exceeding the maximum specified in column 5 of the aforesaid Schedule, reappropriate, whenever necessary from one sub-head in that Schedule to another sub-head therein.

8. **Payment of further amounts.**—There shall be paid from time to time to the Prime Minister such further amounts necessary to enable him to discharge conveniently and with dignity the duties of his office as the Prime Minister may by general or special order authorise, and any such order may be given retrospective effect whenever necessary.

9. **Payment on account of deferred pay, etc., of officers.**—Nothing in this Act shall apply to any payment on account of the deferred pay, leave salaries, allowances, cost of passage or increments due to any officer provision for whose pay is made in the Second Schedule, and the amounts of such payment shall be in addition to the maximum amounts specified in that Schedule.

10. **Amounts to be included in estimates of expenditure.**—The Prime Minister may, subject to any general or special order made by him, include the amounts in any year in the estimates of expenditure for the purpose of giving effect to the provisions of this Act, and such amounts shall be charged upon and paid out of the Federal Consolidated Fund.

11. **Compensation in case of air accident.**—(1) If the Prime Minister, while travelling by air on official duty, by any flight scheduled or un-scheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of two lakh and fifty thousand rupees in the case of death, and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of an injury.

(2) The compensation shall be payable, in the case of injury, to the Prime Minister, and, in the case of death, to such member or members of his family, or, if there be no such member, such other person or persons as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, and may also be revoked or altered, by a notice in writing signed by the Prime Minister and addressed to the Accountant General, Pakistan Revenues.

12. **Leave.**—(1) The Prime Minister may avail himself of leave of absence during his term of office, at any one time or from time to time, for urgent reasons of health or private affairs, for a period not exceeding three months in the aggregate.

(2) The leave allowance of the Prime Minister shall be five thousand rupees per mensem.

13. **Medical facilities.**—The Prime Minister and the family of the Prime Minister shall be entitled to medical facilities in accordance with the Special Medical Attendance Rules:

Provided that he and his family shall ordinarily be entitled to receive medical treatment at his residence:

Provided further that the Prime Minister may, if so advised by his physician, receive medical treatment abroad or consult a foreigner or a physician other than his own and receive such other treatment as may be prescribed.

14. **Customs-duties or sales tax not leviable on certain articles.**—(1) No custom-duties or sales tax shall be levied on the following articles if imported or purchased out of bond by the Prime Minister on appointment or during his tenure of office, namely:—

(a) articles for the personal use, wear or consumption of the Prime Minister or any member of his family provided that the cost of such articles shall not exceed fifty thousand rupees per annum;

(b) one car, the cost of which shall not exceed seventy-five thousand rupees, for his personal use during the tenure of his office;

(c) foodstuffs and tobacco for the Prime Minister, members of his family and his guests, whether official or not;

(d) aritcles for furnishing of the Prime Minister's official residence; and

(e) official cars, rivercraft, or aircraft.

(2) No custom-duties or sales tax shall be levied on tobacco imported by manufacturers in Pakistan for the manufacture of cigarettes, and no excise duty shall be levied on indigenous tobacco used in Pakistan in the manufacture of cigarettes and on cigarettes manufactured in Pakistan, when such cigarettes are for consumption by the Prime Minister, members of his family or the guests referred to in clause (c) of sub-section (1).

(3) No excise duty shall be levied on indigenous petrol and petroleum products when such petrol or petroleum products are for use in the official cars, rivercraft and aircraft.

15. **Provident Fund.**—The Prime Minister may, at his option, become a subscriber to the General Provident Fund and, if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

16. **Act to have effect subject to instructions, etc.**—This Act shall have effect subject to such instructions, rules, exceptions, further concessions or easements as the Government may from time to time prescribe or grant.

FIRST SCHEDULE

[*See* section 2 (g)]

OFFICIAL RESIDENCE

The Prime Minister's House, Rawalpindi.

SECOND SCHEDULE

[*See* section 7 (a)]

Maximum yearly amounts for expenditure in respect of certain matters

Discretionary Grant	Sumptuary Allowance	Staff including other charges	Contract Allowance	Official conveyance including motor cars and their replacement	Tour expenses	Total
1	2	3	4	5	6	7
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
4,00,000	2,00,000	15,50,000	6,50,000	3,25,000	4,00,000	35,25,000

Note.—Sumptuary allowance is exclusive of the expenditure on national celebrations provision for which is made under "Contract Allowance".

THIRD SCHEDULE

[*See* section 7 (b)]

Maximum yearly amounts for improvement and maintenance of official residence.

Improvement, repairs and maintenance of residence including maintenance and replenishment of furniture	Rates and Taxes	Water	Electricity	Total
1	2	3	4	5
Rs.	Rs.	Rs.	Rs.	Rs.
6,46,000	95,000	10,000	8,23,700	15,74,700

ACT No. LX OF 1975

An Act to amend the President's Pension Act, 1974

WHEREAS it is expedient to amend the President's Pension Act, 1974 (IX of 1975), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the President's Pension (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act IX of 1975.**—In the President's Pension Act, 1974 (IX of 1975), hereinafter referred to as the said Act, in section 2, in sub-section (1), for the words "two thousand" the words "four thousand" shall be substituted.

3. **Amendment of Schedule, Act IX of 1975.**—In the said Act, in the Schedule, after entry (iv), the following new entry shall be added, namely :—

"(*v*) Services of one private Secretary in Grade 17 of the National Pay Scales and one gunman, provided at Government expense for a period of two years from the date on which the right to receive pension under this Act accrues."

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 29th July, 1975

The following Acts of Parliament received the assent of the President on the 24th July, 1975, and are hereby published for general information :—

ACT No. LXI OF 1975

An Act further to amend the Employees' Cost of Living (Relief) Act, 1973

WHEREAS it is expedient further to amend the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Employees' Cost of Living (Relief) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act I of 1974.**—In the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), hereinafter referred to as the said Act, in section 2, in clause (b), the words and commas "a person employed on wages equal to, or exceeding one thousand and one hundred rupees per month, or" shall be omitted.

3. **Amendment of section 3, Act I of 1974.**—In the said Act, in section 3,—

(a) in sub-section (2),—
  (i) after the word "employee", the words "whose wages do not exceed one thousand and one hundred rupees" shall be inserted ; and
  (ii) in clause (b), after the word "rupees" occurring for the second time, the words "but are less than one thousand and one hundred rupees" shall be inserted ; and

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[4040 Ex. Gaz.]

(b) after sub-section (2) amended as aforesaid, the following new sub-section (3) shall be added, namely :—

> "(3) In addition to the cost of living allowance admissible under sub-section (1) or, as the case may be, sub-section (2), if any, every employee shall in respect of his employment, on or after the seventh day of April, 1975, whether on time-work or piece-work basis, be paid by his employer a cost of living allowance equal to twenty-five rupees per month.".

4. **Amendment of section 5, Act I of 1974.**—In the said Act, in section 5, in the proviso,—

(a) after the figure and comma "1974,", occurring for the second time, the words, brackets, figures and commas "or under sub-section (3) of that section for any period commencing on or after the seventh day of April, 1975, but preceding the commencement of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975," shall be inserted ;

(b) in clause (a), the word "and" at the end shall be omitted ;

(c) in clause (b), for the full stop at the end the semi-colon and word "; and" shall be substituted ; and

(d) after clause (b) amended as aforesaid, the following new clause shall be added, namely :—

> "(c) in the case of the cost of living allowance payable under sub-section (3) of that section, of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975.".

5. **Amendment of section 8, Act I of 1974.**—In the said Act, in section 8,—

(a) in clause (b), after the figure and comma "1974," the word "or" shall be added ; and

(b) after clause (b) amended as aforesaid, the following new clause shall be inserted, namely :—

> "(c) in the case of the cost of living allowance payable under sub-section (3) of section 3, immediately before the commencement of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975.".

6. **Repeal.**—The Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975 (II of 1975), is hereby repealed.

ACT No. LXII OF 1975

An Act to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State

WHEREAS it is expedient to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State and for matters connected therewith ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(*a*) 'electricity' includes gas consumed at the official residence ;

(*b*) 'family' means the wife, legitimate children and step-children residing with and wholly dependent upon the Minister ;

(*c*) 'Government' means the Federal Government ;

(*d*) 'maintenance' in relation to a residence includes the maintenance of furniture and furnishings, the payment of local rates and taxes and the provision of electricity and water ;

(*e*) 'Minister' means a Federal Minister and a Minister of State ;

(*f*) 'official residence' means the house reserved from time to time for use by a Minister and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence ;

(*g*) 'prescribed' means prescribed by rules to be made by the Government ;

(*h*) 'year' means a year commencing on the first day of July and ending on the thirtieth day of June next following ;

(*i*) other words and expressions used in this Act and not defined shall have the meanings assigned to them in the Constitution of the Islamic Republic of Pakistan or the Fundamental and the Supplementary Rules.

3. **Salary.**—Every Federal Minister shall receive a salary of three thousand rupees per mensem and every Minister of State two thousand and five hundred rupees per mensem.

4. **Equipment Allowance.**—On his first appointment, a Federal Minister may draw two thousand rupees, and a Minister of State one thousand and five hundred rupees, as an allowance for equipping himself:

Provided that during the ten years immediately preceding the said appointment, he had not drawn an allowance for the same purpose upon election or appointment to the office of Chairman, Speaker, Federal Minister, Governor or Minister of State or a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) A Ministry shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of Government on taking up office and from the seat of Government to his ordinary place of residence on laying down office :—

(*a*) the actual travelling expenses for himself and his family ;

(*b*) the cost of transporting personal servants, not exceeding two, by the lowest class of accommodation ;

(*c*) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of taking up or laying down office, as the case may be.

6. **Sumptuary Allowance.**—Every Federal Minister shall receive sumptuary allowance at the rate of one thousand rupees per mensem and every Minister of State six hundred rupees per mensem.

7. **Transport.**—(1) Every Minister shall be entitled to the use of an official car maintained at the cost of Government in accordance with the rules framed by the Government for the use of staff cars.

(2) A Minister who resigns his office but is not re-appointed may be allowed the use of the staff car provided to him for the same period for which he is allowed to retain official residence but, during this period, he shall pay for the petrol and oil and for the official driver who will remain in charge of the car.

8. **Official residence.**—(1) Every Minister shall be entitled, without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of its maintenance.

(2) The assessed rent of a house hired for the use of a Federal Minister shall in no case exceed three thousand rupees per mensem and that of a house hired for the use of a Minister of State two thousand and five hundred rupees per mensem.

(3) The official residence of a Federal Minister shall be furnished by Government at a cost not exceeding thirty thousand rupees and that of a Minister of State twenty thousand rupees, in accordance with such scale as may be prescribed by Government from time to time:

Provided that spending of the whole of the aforesaid amount on any one item of furnishing shall not be permissible.

(4) Half of the electricity charges in excess of five hundred rupees per mensem shall be paid by the Federal Minister and such charges in excess of two hundred fifty rupees per mensem by the Minister of State but the same shall be readjusted at the close of each year so that the total share payable by the Federal Minister or the Minister of State shall in no case be more than one half of the excess of such charges over the amount calculated respectively at the rate of six thousand rupees per annum and three thousand rupees per annum.

(5) All furniture and furnishings provided in the official residence shall be marked by the Pakistan Public Works Department for the purpose of identification.

(6) When a Minister occupies an official residence, it shall be the duty of the officer concerned of the Pakistan Public Works Department to hand over charge of the furniture and furnishings in that residence to the Minister, or to a person authorised by him in writing, according to an inventory to be drawn up and signed.

(7) When a Minister is about to vacate an official residence, he shall inform the officer concerned of the Pakistan Public Works Department and shall arrange for the furniture and furnishings of the official residence being handed over to that officer according to an inventory to be drawn up and signed.

(8) The officer concerned of the Pakistan Public Works Department may, from time to time, inspect an official residence, its furniture and furnishings, with the prior approval of the Minister.

9. **Payment on account of non-availability of official residence.**—If, at the time of his entering upon office, an official residence is not available, a Federal Minister or a Minister of State shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of one thousand two hundred and fifty rupees in the case of a Federal Minister and one thousand rupees in the case of a Minister of State.

10. **Payment in case of own house.**—Where a Federal Minister or a Minister of State chooses to reside in his own house, the Federal Minister may be paid a monthly sum of one thousand two hundred and fifty rupees and the Minister of State one thousand rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance :

Provided that no furniture or furnishings shall be provided therein at the cost of Government :

Provided further that, if the Minister holds his office in the house, the room used as his office shall be furnished at Government expense.

11. **Travelling allowance for journeys within Pakistan.**—(1) Subject to the provisions made hereafter, a Minister travelling on official duty shall be treated as a first grade officer.

(2) *Journey by rail.*—(i) A Federal Minister shall be entitled—

(*a*) to requisition at the cost of Government a reserved railway saloon, if available, or a two-berthed or four-berthed first class compartment, including an air-conditioned compartment if available on the train ;

(*b*) to take with him not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment and not more than four personal servants when travelling by a requisitioned railway saloon ;

(*c*) to the carriage of personal baggage not exceeding three maunds when travelling by a railway compartment and not exceeding six maunds when travelling by a requisitioned railway saloon ;

(*d*) to take with him without payment of fares his family members not exceeding four, when travelling in a requisitioned railway compartment or a saloon ;

(*e*) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 12.

(ii) A Minister of State shall be entitled—

(*a*) to requisition at the cost of Government a coupe or four-berthed first class compartment, including an air-conditioned compartment if available on the train ;

(*b*) to take with him not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment ;

(*c*) to the carriage of personal baggage not exceeding three maunds when travelling by a railway compartment ;

(*d*) to take with him without payment of fares his family members not exceeding four, when travelling in a requisitioned railway compartment ;

(*e*) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 12.

(3) *Journey by steamer or launch.*—A Minister shall be entitled—

(*a*) to draw the actual fare paid for himself ;

(*b*) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey and twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 12 ;

(*c*) to take with him not more than two personal servants by the lowest class of accommodation ;

(*d*) to the carriage of personal luggage not exceeding three maunds.

(4) *Journeys by air.*—A Minister may, if the public interest so demands, travel by air, in which case he shall be entitled—

(*a*) to the actual first class air fare paid for himself ;

(*b*) to the cost of transporting personal luggage not exceeding one hundred pounds inclusive of the free allowance given by the air company ;

(*c*) to requisition at the cost of Government, if he considers it necessary in the public interest, an aeroplane or a helicopter belonging to the Pakistan Air Force or a Provincial Government, subject to availability and in accordance with the rules framed by the relevant authority, or an aeroplane belonging to any flying club in Pakistan ;

(*d*) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane, provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence ;

(*e*) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer ;

(*f*) to the carriage of personal luggage by rail or steamer subject to a maximum of three maunds ;

(*g*) to take with him by air one personal servant or a peon in lieu of the entitlements in clauses (e) and (f).

(5) *Journey by road.*—(a) A Minister shall be entitled, for a journey per formed by road beyond a radius of five miles from his headquarters, to a mileage allowance of one rupee per mile if a public conveyance is used or seventy five paisas per mile if a private car is used, and in any other case to an allowance at the rate of fifty rupees per day :

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of—

(*i*) a journey or that part of a journey which has to be undertaken by road in the public interest or in the absence of railway communication ; and

(*ii*) a short journey which cannot conveniently be undertaken by rail and which involves an absence from headquarters for more than eight consecutive hours.

(b) In respect of a journey performed by road beyond a radius of five miles from his headquarters, a Minister shall be entitled to claim the actual cost of transporting—

(*i*) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Minister travelled, and (*ii*) up to a maximum of three maunds of personal luggage :

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

12. **Daily allowance during halt.**—(1) A Minister, while on tour, shall be entitled to receive a daily allowance at the rate of fifty rupees for each day.

(2) A Minister who arrives in the forenoon at the place of duty or departs from such place in the afternoon shall be entitled to draw daily allowance at the full rate for the day of arrival or the day of departure, as the case may be, and if he arrives at such place in the afternoon or departs therefrom in the forenoon, the daily allowance drawn shall be at half such rate :

Provided that not more than one daily allowance at the full rate may, in any case, be claimed in respect of any one day.

(3) Where a Minister on tour stays in an hotel because of non-availability of accommodation in any Government Guest House or Rest House, he shall be entitled to the reimbursement of actual rent charges of a small suite paid by him for the period of stay in that hotel, in addition to the daily allowance :

Provided that a Minister who does not wish to avail himself of such accommodation shall be paid a subsidy at the rate of sixty-five rupees for each day during any period of tour on duty.

13. **Travelling allowance bill.**—A Minister shall indicate on his travelling allowance bill whether he has travelled in a requisitioned railway saloon or compartment or aeroplane or as an ordinary first class passenger, specify the number and relationship of family members and others who travelled with him, certifying whether they purchased the necessary tickets, and also certify that the journey was primarily undertaken on official business.

14. **Controlling officer.**—A Minister shall be his own controlling officer.

15. **Travelling allowance for journeys abroad.**—A Minister travelling on official business outside Pakistan shall be entitled to such allowance as may be prescribed from time to time by Government.

16. **Medical facilities.**—A Minister and his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that they shall be entitled to receive medical treatment at the residence.

17. **Leave.**—(1) The Prime Minister may grant to a Minister during his term of office at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding in the aggregate three months in the case of a Federal Minister and two months in the case of a Minister of State :

Provided that a Minister shall be entitled to avail himself of the unutilised period of the leave aforesaid immediately after laying down his office.

(2) A Federal Minister shall be entitled to receive leave salary of three thousand rupees per month and a Minister of State two thousand and five hundred rupees per month.

18. **Personal staff.**—Each Minister, except while on leave, shall be entitled to have one private secretary, one personal assistant, one jamadar and one peon, with such status and conditions as are or may be laid down by the Government from time to time.

19. **Provident Fund.**—(1) A Minister may, at his option, become a subscriber to the General Provident Fund ; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

(2) A temporary advance may be granted to a Minister from the amount standing to his credit in the General Provident Fund at the discretion of the Government for a purpose for which such advance may be granted to a subscriber under the said Rules.

(3) The grant of a temporary advance under sub-section (2) shall, unless the Government otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

20. **Compensation in case of air accidents.**—(1) If a Minister, while travelling by air, on official duty, by any flight, scheduled or unscheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of one lakh and fifty thousand rupees in the case of death, and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the Minister and, in the case of death, to such member or members of his family, or, if there be no such member any other person or persons as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, and may also be revoked or altered, by a notice in writing signed by the Minister and addressed to the Accountant General, Pakistan Revenues.

21. **General.**—(1) The family of a Minister shall be entitled to travel by air or by rail from the headquarters of the Minister to his hometown and back once a year at Government expense.

(2) All reasonable precautions shall be taken by the Minister to see that the official residence, transport and furniture and furnishings provided by the Government are used with the same care with which a person's own property is used.

22. **Act to have effect subject to instructions, etc.**—This Act shall have effect subject to such instructions, rules, exceptions, further concessions, or easements as the Government may from time to time prescribe or grant.

23. **Repeal.**—The Ministers (Terms and Conditions) Order, 1962, is hereby repealed.

ACT No. LXIII OF 1975

An Act to validate certain President's Orders, Martial Law Regulations, Martial Law Orders and other laws.

WHEREAS clause (1) of Article 270 of the Constitution of the Islamic Republic of Pakistan provides that Parliament may by law validate all Proclamations, President's Orders, Martial Law Regulations, Martial Law Order and other laws made between the twenty-fifth day of March, 1969, and the nineteenth day of December, 1971 ;

AND WHEREAS it is expedient to validate certain President's Orders, Martial Law Regulations, Martial Law Orders and other laws made as aforesaid ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Validation of Laws Act, 1975.

(2) It shall come into force at once.

2. **Validation of laws.**—The laws mentioned in the Schedule are hereby declared to have been validly made by competent authority.

THE SCHEDULE

[*see* section 2]

Sr. No. *Titles and Numbers of laws*

I. PRESIDENT'S ORDERS

1. The Province of West Pakistan (Dissolution) Order, 1970 (P. O. No. 1 of 1970).
2. The High Courts (Establishment) Order, 1970 (P. O. No. 8 of 1970).
3. The High Court Judges (Leave, Pension and Privileges) Order, 1970 (P. O. No. 9 of 1970).
4. The Preparation of Electoral Rolls (Centrally Administered Tribal Areas) Order, 1970 (P. O. No. 13 of 1970).
5. The High Court Judges (Leave, Pension and Privileges) (Amendment) Order, 1970 (P. O. No. 15 of 1970).
6. The High Courts (Establishment) (Amendment) Order, 1970 (P. O. No. 16 of 1970).
7. The High Courts (Establishment) (Second Amendment) Order, 1970 (P. O. No. 17 of 1970).
8. The Judges (Compulsory Leave) Order, 1970 (P.O. No. 27 of 1970).

Sr. No.	*Titles and Numbers of laws*
9.	The Dissolution of West Pakistan Province (Rights, Properties, Assets and Liabilities) Order, 1971 (P. O. No. 2 of 1971).
10.	The West Pakistan Statutory Corporations (Financing) Order, 1971 (P. O. No. 6 of 1971).
11.	The West Pakistan Water and Power Development Authority (Financing) Order, 1971 (P. O. No. 7 of 1971).
12.	The Pakistan Western Railway (Budgetary Arrangements and Investments) Order, 1971 (P. O. No. 8 of 1971).
13.	The Distribution of Revenues Order, 1971 (P. O. No. 10 of 1971).
14.	The Islamabad Capital Territory (Administration) Order, 1971 (P. O. No. 12 of 1971).
15.	The Criminal Law Amendment (Special Court) Order, 1971 (P. O. No. 13 of 1971).
16.	The West Pakistan Rangers (Reconstitution) Order, 1971 (P. O. No. 14 of 1971).
17.	The Sitting of the Supreme Court Order, 1971 (P. O. No. 15 of 1971).

II. ORDINANCES

1.	The Improper Acquisition of Property (Special Committees) Ordinance, 1969 (IX of 1969).
2.	The International Monetary Fund and Bank (Amendment) Ordinance, 1969 (X of 1969).
3.	The State Bank of Pakistan (Amendment) Ordinance, 1969 (XI of 1969).
4.	The Improper Acquisition of Property (Special Committees) (Amendment) Ordinance, 1969 (XII of 1969).
5.	The British Statutes (Application to Pakistan) Repeal Ordinance, 1969 (XIII of 1969).
6.	The Income-tax (Amendment) Ordinance, 1969 (XIV of 1969).
7.	The Sales Tax (Amendment) Ordinance, 1969 (XV of 1969).
8.	The Finance Ordinance, 1969 (XVI of 1969).
9.	The Securities and Exchange Ordinance, 1969 (XVII of 1969).
10.	The Improper Acquisition of Property (Special Committees) (Second Amendment) Ordinance, 1969 (XVIII of 1969).
11.	The Defence Services (Inquiry) (Special Provisions) Ordinance, 1969 (XIX of 1969).
12.	The Code of Criminal Procedure (Amendment) Ordinance, 1969 (XX of 1969).
13.	The Pakistan Refugees Rehabilitation Finance Corporation (Amendment) Ordinance, 1969 (XXII of 1969).
14.	The Industrial Relations Ordinance, 1969 (XXIII of 1969).
15.	The Equity Participation Fund Ordinance, 1970 (I of 1970).

Sr. No.	*Titles and Numbers of laws*
16.	The Industrial Development Bank of Pakistan (Amendment) Ordinance, 1970 (II of 1970).
17.	The State Bank of Pakistan (Amendment) Ordinance, 1970 (III of 1970).
18.	The Monopolies and Restrictive Trade Practices (Control and Prevention) Ordinance, 1970 (V of 1970).
19.	The Code of Civil Procedure (Amendment) Ordinance, 1970 (VI of 1970).
20.	The Central Law Officers Ordinance, 1970 (VII of 1970).
21.	The Imports and Exports (Control) (Amendment) Ordinance, 1970 (VIII of 1970).
22.	The Chartered Accountants (Amendment) Ordinance, 1970 (IX of 1970).
23.	The Wireless Telegraphy (Amendment) Ordinance, 1970 (X of 1970).
24.	The Finance Ordinance, 1970 (XI of 1970).
25.	The Companies Profits (Workers Participation) (Amendment) Ordinance, 1970 (XII of 1970).
26.	The National and Provincial Assemblies (Elections) Ordinance, 1970 (XIII of 1970).
27.	The National Bank of Pakistan (Amendment) Ordinance, 1970 (XIV of 1970).
28.	The Sales Tax (Amendment) Ordinance, 1970 (XV of 1970).
29.	The Census (Amendment) Ordinance, 1970 (XVI of 1970).
30.	The National and Provincial Assemblies (Elections) (Amendment) Ordinance, 1970 (XVII of 1970).
31.	The National and Provincial Assemblies (Elections) (Second Amendment) Ordinance, 1970 (XVIII of 1970).
32.	The Industrial Relations (Amendment) Ordinance, 1970 (XIX of 1970).
33.	The Sugar Export Subsidy Fund Ordinance, 1970 (XX of 1970).
34.	The National and Provincial Assemblies (Elections) (Third Amendment) Ordinance, 1970 (XXI of 1970).
35.	The Pakistan National Service Ordinance, 1970 (XXII of 1970).
36.	The National and Provincial Assemblies (Elections) (Fourth Amendment) Ordinance, 1970 (XXIII of 1970).
37.	The Cotton (Amendment) Ordinance, 1970 (XXIV of 1970).
38.	The Insurance (Amendment) Ordinance, 1970 (XXV of 1970).
39.	The National and Provincial Assemblies (Elections) (Fifth Amendment) Ordinance, 1970 (XXVI of 1970).
40.	The Tax Laws (Amendment) Ordinance, 1971 (I of 1971).
41.	The Agricultural Pesticides Ordinance, 1971 (II of 1971).
42.	The Oil and Gas Development Corporation (Amendment) Ordinance, 1971 (III of 1971).

Sr. No.	*Titles and Numbers of laws*
43.	The Trade Marks (Amendment) Ordinance, 1971 (IV of 1971).
44.	The Pakistan Tobacco Board (Amendment) Ordinance, 1971 (V of 1971).
45.	The Commander-in-Chief (Delegation of Powers) Ordinance, 1971 (VI of 1971).
46.	The Banking Companies (Amendment) Ordinance, 1971 (VII of 1971).
47.	The Regulation of Mines and Oil-fields and Mineral Development (Government Control) (Amendment) Ordinance, 1971 (VIII of 1971).
48.	The Asian Development Bank Ordinance, 1971 (IX of 1971).
49.	The Price Equalization Surcharge (Validation) Ordinance, 1971 (X of 1971).
50.	The Newsprint Control Ordinance, 1971 (XI of 1971).
51.	The Investment Corporation of Pakistan (Amendment) Ordinance, 1971 (XII of 1971).
52.	The Pakistan Army Act (Amendment) Ordinance, 1971 (XIII of 1971).
53.	The Finance Ordinance, 1971 (XIV of 1971).
54.	The Railway Surcharge (Pakistan Western Railway) Ordinance, 1971 (XV of 1971).
55.	The Equity Participation Fund (Amendment) Ordinance, 1971 (XVI of 1971).
56.	The Finance (Supplementary Provisions) Ordinance, 1971 (XVII of 1971).
57.	The Decorations (Amendment) Ordinance, 1971 (XVIII of 1971).
58.	The Soldiers (Litigation) (Amendment) Ordinance, 1971 (XIX of 1971).
59.	The Industrial Development Bank of Pakistan (Amendment) Ordinance, 1971 (XX of 1971).
60.	The Petroleum Products (Development Surcharge) (Amendment) Ordinance, 1971 (XXII of 1971).
61.	The State Bank of Pakistan (Amendment) Ordinance, 1971 (XXIII of 1971).
62.	The Agricultural Development Bank (Amendment) Ordinance, 1971 (XXV of 1971).
63.	The Provincial Industrial Development Corporation (West Pakistan) (Amendment) Ordinance, 1971 (XXVI of 1971).
64.	The Quaid-i-Azam's Mazar (Protection and Maintenance) Ordinance, 1971 (XXVII of 1971).
65.	The Malaria Eradication Board (Amendment) Ordinance, 1971 (XXVIII of 1971).
66.	The National and Provincial Assemblies (Elections) (Amendment) Ordinance, 1971 (XXIX of 1971).
67	The Defence of Pakistan Ordinance, 1971 (XXX of 1971).

Sr. No. *Titles and Numbers of laws*

68. The Compulsory Service in the Armed Forces Ordinance, 1971 (XXXI of 1971).
69. The War Risks Insurance Ordinance, 1971 (XXXII of 1971).
70. The Civil Aviation (Amendment) Ordinance, 1971 (XXXIV of 1971).
71. The Control of Employment (Amendment) Ordinance, 1971 (XXXV of 1971).
72. The Workers' Welfare Fund Ordinance, 1971 (XXXVI of 1971).

III. MARTIAL LAW REGULATIONS

1. The Income Tax (Correction of Returns and False Declarations) Regulation, 1969 (MLR No. 32).
2. The Improper Acquisition of Property Regulation, 1969 (MLR No. 37).
3. The Income Tax (Correction of Returns and False Declarations) Amending Regulation (MLR No. 47).
4. The Income-Tax (Correction of Returns and False Declarations) (Amendment) Regulation (MLR No. 48).
5. Martial Law Regulation No. 62 amending the Improper Acquisition of Property Regulation, 1969 (MLR No. 37).
6. The Government Agricultural Land (Recovery of Illegal Possession) Regulation, 1969 (MLR No. 68).
7. The Enemy Property (Payment of Money Due to Enemy) Regulation, 1970 (MLR No. 70).
8. The Withdrawal of Currency Notes (High Denominations) Regulation, 1971 (MLR No. 81).
9. The Peshawar District and Tribal Areas (Settlement of Disputes) Regulation, 1971 (MLR No. 93).
10. The Convention Muslim League and Awami League (Scrutiny of Funds) Regulation, 1971 (MLR No. 97).

IV. REGULATIONS

1. The National Assembly (Elections) (Centrally Administered Tribal Areas) Regulation, 1970 (I of 1970).
2. The Centrally Administered Tribal Areas Development Corporation Regulation, 1970 (II of 1970).
3. The National Assembly (Elections) (Centrally Administered Tribal Areas) (Amendment) Regulation, 1970 (III of 1970).

V. WEST PAKISTAN

ORDINANCES

1. The West Pakistan Tribunals of Inquiry Ordinance, 1969 (W.P. Ordinance No. II of 1969).
2. The West Pakistan Railway Servants Benevolent Fund Ordinance, 1969 (W. P. Ord. No. V of 1969).

Sr. No. *Titles and Numbers of laws*

3. The Whipping (West Pakistan Amendment) Ordinance, 1969 (W. P. Ord. No. VI of 1969).

4. The West Pakistan Finance Ordinance, 1969 (W. P. Ord. No. VII of 1969).

5. The West Pakistan Shops and Establishments Ordinance, 1969 (W. P. Ord. No. VIII of 1969).

6. The West Pakistan Railway Servants' Welfare Fund Ordinance, 1969 (W. P. Ord. No. XIV of 1969).

7. The West Pakistan Publication of Books (Regulation and Control) Ordinance, 1969 (W. P. Ord. No. XV of 1969).

8. The West Pakistan Duty on Excessive Wastage of Spirits in Distilleries (Validation) Ordinance, 1969 (W.P. Ord. No. XVIII of 1969).

9. The West Pakistan Minimum Wages for Unskilled Workers Ordinance, 1969 (W. P. Ord. No. XX of 1969).

10. The Municipal Administration (West Pakistan Amendment) Ordinance, 1969 (W. P. Ord. No. XXI of 1969).

11. The West Pakistan Board of Intermediate and Secondary Education (Quetta) Ordinance, 1969 (W. P. Ord. No. XXIV of 1969).

12. The West Pakistan Civil Services (Appellate Tribunals) Ordinance, 1969 (W. P. Ord. No. XXVIII of 1969).

13. The North-West Frontier Province Tenancy (Validation and Extension of Period for Payment of Compensation) Ordinance, 1969 (W. P. Ord. No. XXX of 1969).

14. The Punjab Tenancy (Validation and Extension of Period for Payment of Compensation) Ordinance, 1969 (W. P. Ord. No. XXXI of 1969).

15. The Criminal Law (West Pakistan Amendment) Ordinance, 1969 (W.P. Ord. No. XXXIII of 1969).

16. The West Pakistan Urban Immovable Property (Validation of Valuation List and Tax) Ordinance, 1969 (W. P. Ord. No. XXXV of 1969).

17. The Colonization of Government Lands (Punjab) (West Pakistan Amendment) Ordinance, 1969 (W. P. Ord. No. XXXVI of 1969).

18. The West Pakistan Privy Purses (Charged Expenditure) Ordinance, 1969 (W. P. Ord. No. XLI of 1969).

19. The Canal and Drainage Act, 1873 (Extension to III Lora Canal of Bannu District) Ordinance, 1969 (W. P. Ord. No. XLIII of 1969).

20. The Notaries (West Pakistan Amendment) Ordinance, 1969 (W. P. Ord. No. XLV of 1969).

21. The Land Acquisition (West Pakistan Amendment) Ordinance, 1969 (W. P. Ord. No. XLIX of 1969).

22. The Canal and Drainage (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. I of 1970).

23. The Prevention of Corruption (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. II of 1970).

Sr. No.	*Titles and Numbers of laws*
24.	The West Pakistan Anti-Corruption Establishment (Amendment) Ordinance, 1970 (W. P. Ord. No. III of 1970).
25.	The Canal and Drainage Act (West Pakistan Second Amendment) Ordinance, 1970 (W. P. Ord. No. IV of 1970).
26.	The Railways (Transport of Goods) (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. V of 1970).
27.	The West Pakistan Urban Rent Restriction (Amendment) Ordinance, 1970 (W. P. Ord. No. VI of 1970).
28.	The Pakistan Criminal Law (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. VII of 1970).
29.	The Explosive Substances (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. VIII of 1970).
30.	The West Pakistan Motor Vehicles (Amendment) Ordinance, 1970 (W.P. Ord. No. IX of 1970).
31.	The West Pakistan Land Revenue (Amendment) Ordinance, 1970 (W. P. Ord. No. X of 1970).
32.	The Minimum Wages (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. XI of 1970).
33.	The Agricultural Produce Markets (West Pakistan Amendment) Ordinance, 1970 (W. P. Ord. No. XII of 1970).
34.	The West Pakistan Requisitioning of Stage Carriages (Temporary Powers) Ordinance, 1970 (W. P. Ord. No. XIII of 1970).
35.	The West Pakistan Jamia Islamia (Bahawalpur) (Amendment) Ordinance, 1970 (W. P. Ord. No. XIV of 1970).
36.	The West Pakistan Local Councils High Schools (Taking Over) Ordinance, 1970 (W. P. Ord. No. XV of 1970).
37.	The West Pakistan Motor Vehicles (Amendment) Amending Ordinance, 1970 (W. P. Ord. No. XVI of 1970).
38.	The West Pakistan Repealing Ordinance, 1970 (W. P. Ord. No. XVIII of 1970).
39.	The West Pakistan Hill Tract Improvement (Amendment) Ordinance, 1970 (W. P. Ord. No. XIX of 1970).
40.	The West Pakistan Private Colleges (Management and Control) Ordinance, 1970 (W. P. Ord. No. XX of 1970).
41.	The West Pakistan (Punjab) Finance Ordinance, 1970 (W. P. Ord. No. XXI of 1970).
42.	The West Pakistan (Sind) Finance Ordinance, 1970 (W. P. Ord. No. XXII of 1970).
43.	The West Pakistan (North-West Frontier Province) Finance Ordinance, 1970 (W. P. Ord. No. XXIII of 1970).
44.	The West Pakistan (Baluchistan) Finance Ordinance, 1970 (W. P. Ord. No. XXIV of 1970).

Sr. *No.* *Titles and Numbers of laws*

45. The West Pakistan Motor Vehicles (Second Amendment) Ordinance, 1970 (W. P. Ord. No. XXV of 1970).

46. The West Pakistan Land Reforms Regulation (Amendment) Ordinance, 1970 (W. P. Ord. No. XXVI of 1970).

47. The West Pakistan Publication of Textbooks (Regulation and Control) Ordinance, 1970 (W. P. Ord. No. XXVII of 1970).

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1. The Dir, Chitral and Swat (Administration) Regulation, 1969 (W. P. Reg. I of 1969).

2. The Amb (Administration) Regulation, 1969 (W. P. Reg. II of 1969).

3. The Co-operative Societies Act, 1925 (Application to Tribal Areas of Peshawar, Dera Ismail Khan and Malakand Divisions) Regulation, 1970 (W. P. Reg. I of 1970).

VI. PUNJAB

ORDINANCES

1. The West Pakistan Urban Immovable Property Tax (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. I of 1970).

2. The Punjab Social Services Board Ordinance, 1970 (Punjab Ord. No. II of 1970).

3. The West Pakistan Nursing Services (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. III of 1970).

4. The West Pakistan Motor Vehicles Taxation (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. V of 1970).

5. The Soil Reclamation (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. VI of 1970).

6. The Medical Colleges (Governing Bodies) (Punjab Repeal) Ordinance, 1970 (Punjab Ord. No. VII of 1970).

7. The West Pakistan Animals Slaughter Control (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. VIII of 1970).

8. The West Pakistan Motor Vehicles (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. IX of 1970).

9. The West Pakistan Private Colleges (Management and Control) (Punjab Amendment) Ordinance, 1970 (Punjab Ord. No. X of 1970).

10. The West Pakistan Co-operative Board (Dissolution) (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. I of 1971).

11. The Thal (Increase in Value) (Validation of Levy of Tax) Ordinance, 1971 (Punjab Ord. No. II of 1971).

12. The West Pakistan Board of Technical Education (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. III of 1971).

Sr. No.	*Titles and Numbers of laws*
13.	The West Pakistan Consolidation of Holdings (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. IV of 1971).
14.	The West Pakistan Text Book Board (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. V of 1971).
15.	The West Pakistan Publication of Textbooks (Regulation and Control) (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. VI of 1971).
16.	The West Pakistan Criminal Law (Amendment) Act (Transfer of Pending Cases) Ordinance, 1971 (Punjab Ord. No. VII of 1971).
17.	The Punjab Taunsa Barrage Betterment Tax Ordinance, 1971 (Punjab Ord. No. VIII of 1971).
18.	The Code of Criminal Procedure (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. IX of 1971).
19.	The West Pakistan Employees' Social Security (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. X of 1971).
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21.	The West Pakistan Entertainments Duty (Punjab Second Amendment) Ordinance, 1971 (Punjab Ord. No. XII of 1971).
22.	The Punjab Fair Price Shops (Factories) Ordinance, 1971 (Punjab Ord. No. XIII of 1971).
23.	The Greater Lahore Water Supply, Sewerage and Drainage (Amendment) Ordinance, 1971 (Punjab Ord. No. XIV of 1971).
24.	The Thal Development (Validating) Ordinance, 1971 (Punjab Ord. No. XV of 1971).
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26.	The West Pakistan Agricultural University (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XVII of 1971).
27.	The Canal and Drainage (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XVIII of 1971).
28.	The Punjab Cotton Control (Validation of Levy of Fees) Ordinance, 1971 (Punjab Ord. No. XIX of 1971).
29.	The West Pakistan (Board of Intermediate and Secondary Education, Lahore) (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XX of 1971).
30.	The West Pakistan Board of Technical Education (Punjab Second Amendment) Ordinance, 1971 (Punjab Ord. No. XXI of 1971).
31.	The West Pakistan Motor Vehicles (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XXII of 1971).
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33.	The West Pakistan Family Courts (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XXIV of 1971).

Sr. No. *Titles and Numbers of laws*

34. The Punjab Local Government Institutions (Dissolution) (Extension of Limitation) Ordinance, 1971 (Punjab Ord. No. XXV of 1971).

35. The West Pakistan Employees' Social Security (Punjab Second Amendment) Ordinance, 1971 (Punjab Ord. No. XXVI of 1971).

36. The West Pakistan Foodstuffs (Control) (Punjab Amendment and Validation) Ordinance, 1971 (Punjab Ord. No. XXVII of 1971).

37. The West Pakistan Finance (Punjab Amendment) Ordinance, 1971 (Punjab Ord. No. XXVIII of 1971).

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ORDINANCES

1. The West Pakistan Board of Revenue (Sind Amendment) Ordinance, 1970 (Sind Ord. No. I of 1970).

2. The West Pakistan Requisitioning of Immovable Property (Temporary Powers) (Sind Amendment) Ordinance, 1970 (Sind Ord. No. II of 1970).

3. The West Pakistan Horse-race Betting Tax (Sind Amendment) Ordinance, 1970 (Sind Ord. No. IV of 1970).

4. The West Pakistan Motor Vehicles Taxation (Sind Amendment) Ordinance, 1970 (Sind Ord. No. V of 1970).

5. The Sind Abkari Act (Amendment) Ordinance, 1970 (Sind Ord. No. VIII of 1970).

6. The West Pakistan Tobacco Vend Act (Sind Amendment) Ordinance, 1970 (Sind Ord. No. IX of 1970).

7. The Sind Private Colleges (Management and Control) Ordinance, 1970 (Sind Ord. No. X of 1970).

8. The Sind Consumption of Intoxicants Restriction Act (Amendment) Ordinance, 1970 (Sind Ord. No. XI of 1970).

9. The Sind Textbook Board Ordinance, 1970 (Sind Ord. No. XII of 1970).

10. The Civil Courts (Sind Amendment) Ordinance, 1970 (Sind Ord. No. XIII of 1970).

11. The West Pakistan Finance Act (Sind Amendment) Ordinance, 1970 (Sind Ord. No. XV of 1970).

12. The Sind Board of Technical Education Ordinance, 1970 (Sind Ord. No. XVI of 1970).

13. The West Pakistan Criminal Law (Amendment) Act (Repeal) (Sind Amendment) Ordinance, 1971 (Sind Ord. No. III of 1971).

14. The West Pakistan Urban Immovable Property Tax Act (Sind Amendment) Ordinance, 1971 (Sind Ord. No. IV of 1971).

15. The Factories Act (Sind Amendment) Ordinance, 1971 (Sind Ord. No. V of 1971).

Sr. No. *Titles and Numbers of laws*

16. The Land Acquisition (West Pakistan Amendment) (Repeal) Ordinance, 1971 (Sind Ord. No. VI of 1971).
17. The Sind Finance Ordinance, 1971 (Sind Ord. No. VII of 1971).
18. The Boilers Act (Sind Amendment) Ordinance, 1971 (Sind Ord. No. VIII of 1971).
19. The West Pakistan Historical Mosques and Shrines Fund Cess (Sind Amendment) Ordinance, 1971 (Sind Ord. No. IX of 1971).
20. The West Pakistan Motor Vehicles (Sind Amendment) Ordinance, 1971 (Sind Ord. No. X of 1971).
21. The Sugar Factories Control Act (Sind Amendment) Ordinance, 1971 (Sind Ord. No. XI of 1971).
22. The Sind (Town Committee, Bhirya Road) Validation of Octroi Tax Ordinance, 1971 (Sind Ord. No. XII of 1971).
23. The West Pakistan Civil Courts (Sind Amendment) Ordinance, 1971 (Sind Ord. No. XIII of 1971).

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Zonal Martial Law Order No. 38 of 1971 of Zone D, as amended by Zonal Martial Law Orders No. 42 of 1971 and No. 48 of 1972, made to further the effective operation of the Cooperative Societies Act, 1925 (Sind Act VII of 1925).

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ORDINANCES

1. The West Pakistan Board of Revenue (North-West Frontier Province Amendment) Ordinance, 1970 (NWFP Ord. No. I of 1970).
2. The West Pakistan Employees' Social Security (North-West Frontier Province Amendment) Ordinance, 1970 (NWFP Ord. No. III of 1970).
3. The West Pakistan Motor Vehicles (North-West Frontier Province Amendment) Ordinance, 1970 (NWFP Ord. No. IV of 1970).
4. The North-West Frontier Province Text Book Board Ordinance, 1971 (NWFP Ord. No. I of 1971).
5. The North-West Frontier Province Government Educational and Training Institutions Ordinance, 1971 (NWFP Ord. No. III of 1971).
6. The North-West Frontier Province Finance Ordinance, 1971 (NWFP Ord. No. IV of 1971).
7. The North-West Frontier Province Cheshma Right Bank Canal Project (Control and Prevention of Speculation in Land) Ordinance, 1971 (NWFP Ord. No. V of 1971).
8. The Factories Act (North-West Frontier Province Amendment) Ordinance, 1971 (NWFP Ord. No. VI of 1971).

Sr. No. *Titles and Numbers of laws*

REGULATION

The Tribal Areas (Application of Laws) Regulation, 1970 (NWFP Reg. I of 1970).

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2. The Baluchistan Civil Services (Appellate Tribunal) (Amendment) Ordinance, 1970 (Baluchistan Ord. No. II of 1970).
3. The Baluchistan Pat Feeder Area (Settlement of Land Disputes) Ordinance, 1970 (Baluchistan Ord. No. III of 1970).
4. The Baluchistan Pat Feeder Area (Settlement of Land Disputes) (Amendment) Ordinance, 1971 (Baluchistan Ord. No. I of 1971).
5. The West Pakistan Publication of Books (Regulation and Control) (Baluchistan Amendment) Ordinance, 1971 (Baluchistan Ord. No. II of 1971).
6. The Baluchistan Civil Services (Appellate Tribunal) (Amendment) Ordinance, 1971 (Baluchistan Ord. No. III of 1971).
7. The Criminal Law (Special Provisions) (Baluchistan Amendment) Ordinance, 1971 (Baluchistan Ord. No. IV of 1971).
8. The Criminal Law (Special Provision) (Baluchistan Second Amendment) Ordinance, 1971 (Baluchistan Ord. No. V of 1971).
9. The Civil Procedure (Special Provisions) (Baluchistan Amendment) Ordinance, 1971 (Baluchistan Ord. No. VI of 1971).
10. The Baluchistan Pat Feeder Area (Settlement of Land Disputes) (Second Amendment) Ordinance, 1971 (Baluchistan Ord. No. VII of 1971).
11. The Baluchistan Finance Ordinance, 1971 (Baluchistan Ord. No. VIII of 1971).
12. The Baluchistan Sea Fisheries Ordinance, 1971 (Baluchistan Ord. No. IX of 1971).
13. The West Pakistan Motor Vehicles (Baluchistan Amendment) Ordinance, 1971 (Baluchistan Ord. No. X of 1971).
14. The University of Baluchistan (Amendment) Ordinance, 1971 (Baluchistan Ord. No. XI of 1971).
15. The West Pakistan Motor Vehicles (Baluchistan Second Amendment) Ordinance, 1971 (Baluchistan Ord. No. XII of 1971).
16. The Baluchistan Ministerial (English) Service Joint Cadre (Dissolution) Ordinance, 1971 (Baluchistan Ord. No. XIII of 1971).

Sr. No.	*Titles and Numbers of laws*
	REGULATION
	The West Pakistan Foodstuffs (Control) Act (Application to Tribal Areas) Regulation, 1971 (Baluchistan Reg. I of 1971).

ACT No. LXIV OF 1975

An Act to repeal the Malaria Eradication Board Ordinance, 1961

WHEREAS it is expedient to repeal the Malaria Eradication Board Ordinance, 1961 (XVIII of 1961), and to provide for matters incidental thereto;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Malaria Eradication Board (Repeal) Act, 1975.

(2) It shall come into force at once.

2. **Repeal, etc.**—(1) The Malaria Eradication Board Ordinance, 1961 (XVIII of 1961), hereinafter referred to as the Ordinance, is hereby repealed.

(2) Upon the repeal of the Ordinance,—

(a) notwithstanding anything contained in any contract or agreement or in the conditions of service, the officers and other employees of the Malaria Eradication Board, hereinafter referred to as the Board, shall stand transferred to the Federal Government on such terms and conditions as may be laid down by the Federal Government;

(b) all rights, properties, assets, debts, liabilities and obligations of the Board shall be the rights, properties, assets, debts, liabilities and obligations of the Federal Government;

(c) any contract made by the Board before such repeal shall be deemed to have been made by the Federal Government; and

(d) all suits and other legal proceedings instituted by or against the Board before such repeal shall be deemed to be suits and proceedings instituted by or against the Federal Government and may be proceeded or otherwise dealt with accordingly.

(3) The Federal Government may, for the purpose of removing any difficulty in relation to the transfer and other matters referred to in sub-section (2), make such order as it considers expedient and any such order shall be deemed to be, and given effect to, as part of the provisions of this Act.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 1st September, 1975

The following Acts of Parliament received the assent of the President on the 29th August, 1975, and are hereby published for general information :—

ACT No. LXV OF 1975

An Act further to amend the Banking Companies Ordinance, 1962

WHEREAS it is expedient further to amend the Banking Companies Ordinance, 1962 (LVII of 1962), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Banking Companies (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 8, Act LVII of 1962.**—In the Banking Companies Ordinance, 1962 (LVII of 1962), in section 8, for the full stop at the end of the proviso a colon shall be substituted and thereafter the following new proviso shall be added, namely :—

> " Provided further that the Federal Government may, subject to such conditions, if any, as it may deem fit, by notification in the official Gazette, authorise a company wholly or partly owned or controlled by it, not being a banking company, to use in its name the word ' bank ' or any of its derivatives. ".

3. **Repeal.**—The Banking Companies (Amendment) Ordinance, 1975 (V of 1975), is hereby repealed.

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[4375 Ex. Gaz.]

ACT No. LXVI OF 1975

An Act further to amend the Companies (Managing Agency and Election of Directors) Order, 1972.

WHEREAS it is expedient further to amend the Companies (Managing Agency and Election of Directors) Order, 1972 (P. O. No. 2 of 1972), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Companies (Managing Agency and Election of Directors) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 15A, P.O. No. 2 of 1972.**—In the Companies (Managing Agency and Election of Directors) Order, 1972 (P. O. No. 2 of 1972), Article 15A shall be re-numbered as clause (1) of that Article and, after clause (1) re-numbered as aforesaid, the following new clause shall be added, namely :—

> "(2) A notification under clause (1) may be issued so as to be effective from any date not preceding the commencement of this Order and shall have the effect of reviving the agreement or contract to which it relates as from the day specified therein.".

3. **Repeal.**—The Companies (Managing Agency and Election of Directors) (Amendment) Ordinance, 1975 (III of 1975), is hereby repealed.

ACT No. LXVII OF 1975

An Act further to amend the Telegraph Act, 1885

WHEREAS it is expedient further to amend the Telegraph Act, 1885 (XIII of 1885), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Telegraph (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **General amendment, Act XIII of 1885.**—In the Telegraph Act, 1885 (XIII of 1885), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, except in section 5, the words "Federal Government" shall be substituted.

3. **Amendment of section 3, Act XIII of 1885.**—In the said Act, in section 3,—

(a) for clause (1) the following shall be substituted, namely :—

"(1) "telegraph" means any apparatus, equipment or plant used for transmitting, emitting, making or receiving signs, signals, writing, speech, sound or intelligence of any nature by wire, radio or visual or electromagnetic system : ";

(b) for clauses (3) and (4) the following shall be substituted, namely :—

"(3) "message" means any communication, whether in written, printed, pictorial or spoken form, transmitted, emitted, made, received or delivered by telegraph or given to a telegraph officer to be transmitted or emitted, and includes all contents thereof ;

(4) "telegraph line" means a wire or cable used for the purpose of telegraph, including any casing, coating, tube, tunnel, duct or pipe enclosing the same, and includes any apparatus connected therewith : ";

(c) in clause (5),—

(i) the word "above-ground" shall be omitted ; and

(ii) after the word "line" at the end, the words "and includes masts and towers required for telegraph" shall be added ; and

(d) in clause (7), for the full stop at the end a semicolon shall be substituted and, after clause (7) amended as aforesaid, the following new clause shall be added, namely :

"(8) "works" means a manhole, cabinet, housing for cable repeater or radio repeater or any other structure above or under the ground, required for a post or telephone line : ".

4 **Amendment of section 5, Act XIII of 1885.**—In the said Act, in section 5,—

(a) in sub-section (1),—

(i) for the words "Central Government" the words "Federal Government" shall be substituted ; and

(ii) for the word "Central" the words "Federal Government" shall be substituted ; and

(b) in sub-section (2), for the word "Central" the words "Federal Government" shall be substituted.

5. **Amendment of section 6, Act XIII of 1885.**—In the said Act, in section 6,—

(a) for the words "Any Railway Company" the words "The Railway Administration" shall be substituted ; and

(b) for the words "of the Company" the words "under the management or control of the Administration" shall be substituted.

6. **Amendment of section 7A, Act XIII of 1885.**—In the said Act, in section 7A, the words, brackets, figures and comma " or postal article as defined in clause (i) of section 2 of the Post Office Act, 1898 (VI of 1898) " shall be omitted.

7. **Amendment of section 10, Act XIII of 1885.**—In the said Act, in section 10, for the words and commas " The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along or across, and posts in or upon, any immovable property " the following shall be substituted, namely :—

> " The telegraph authority may place, set up, repair, alter and maintain or cause to be placed, set up, repaired, altered and maintained a telegraph line, post or works under, over, along, across or through any land, seashore, road, stream, water or any immovable property, may break, excavate and remove soil to the extent and depth required for placing or removing telegraph line, post or works, and, for the purpose of constructing or maintaining a telegraph line or post, may dig earth, stone and gravel and fell trees ".

8. **Amendment of section 11, Act XIII of 1885.**—In the said Act, in section 11, for the words " or post " the comma and words " , post or works " shall be substituted.

9. **Amendment of section 12, Act XIII of 1885.**—In the said Act,—

(a) section 12 shall be re-numbered as sub-section (1) of that section and, in sub-section (1) re-numbered as aforesaid, for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :—

> " Provided that, notwithstanding anything contained in any other law for the time being in force, the local authority shall not impose any condition which requires the telegraph authority to pay rent or royalty for setting up or placing a telegraph line over, across, along or through the property of that authority. " ; and

(b) after sub-section (1) re-numbered and amended as aforesaid, the following new sub-section shall be added, namely :—

> " (2) Any dispute regarding the amount of the expenses payable by the telegraph authority under sub-section (1) shall be determined in accordance with section 15 :
>
> Provided that permission to the telegraph authority shall not be withheld on account of such dispute. ".

10. **Amendment of section 13, Act XIII of 1885.**—In the said Act, in section 13, for the words " or post ", twice occurring, the comma and words " , post or works " shall be substituted.

11. **Amendment of section 17, Act XIII of 1885.**—In the said Act, in section 17, for the words " or post " the comma and words " , post or works " shall be substituted.

12. **Amendment of section 19, Act XIII of 1885.**—In the said Act, in section 19, for the words " or post " the comma and words " post or works " shall be substituted.

13. **Amendment of section 19A, Act XIII of 1885.**—In the said Act, in section 19A,—

(a) in sub-section (1), for the words "or post" the comma and words ", post or works" shall be substituted; and

(b) in sub-section (2), for the words "or post" the comma and words ", post or works" shall be substituted.

14. **Amendment of section 22, Act XIII of 1885.**—In the said Act, in section 22, for the words "a Railway Company" twice occurring, the words "the Railway Administration" shall be substituted.

15. **Amendment of section 23, Act XIII of 1885.**—In the said Act, in section 23, for clause (a) the following shall be substituted, namely:—

"(a) without permission of competent authority, enters a building, or a portion thereof, housing equipment belonging to the telegraph authority or to a person licensed under this Act, or".

16. **Amendment of section 25A, Act XIII of 1885.**—In the said Act, in section 25A, for the words "or post" the comma and words ", post or works" shall be substituted.

17. **Insertion of new sections 25B, 25C, 25D, 25E and 25F, Act XIII of 1885.**—In the said Act, after section 25A, amended as aforesaid, the following new sections shall be inserted, namely:—

"25B. *Theft of telegraph line.*—If any person commits theft of a telegraph line, copper wire, cable or cable accessory, he shall be punished with rigorous imprisonment for a term which is not less than one year and not more than seven years and also with fine.

Explanation.—In this section, "theft" has the same meaning as in the Pakistan Penal Code (Act XLV of 1860).

25C. *Penalty for tampering, etc., of telegraph line.*—Any person, including a telegraph officer, who tampers with or uses a telegraph line or telegraph in order to cause wrongful loss to the Government or to any subscriber or to cause wrongful gain to any subscriber or any other person shall, without prejudice to any action which the telegraph authority is competent to take under this Act, be punishable with rigorous imprisonment for a term which is not less than one year and not more than seven years, with or without fine.

25D. *Penalty for causing annoyance, etc.*—Any person, including a telegraph officer, who uses any telephone, public or private, for causing annoyance or intimidation to any person, whether a subscriber or not, or for obnoxious calls shall, without prejudice to any other action which the telegraph authority is competent to take under this Act, be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

25E. *Application of Chapter XX, Act V of 1898.*—The provisions of Chapter XX of the Code of Criminal Procedure, 1898 (Act V of 1898), shall apply to the trial of offences punishable under this Act.

25F. *Burden of proof in certain cases.*—Any person who is found to be in possession of, or having under his control, without lawful authority, telegraph line, copper wire, cable or cable accessory of a kind notified by the telegraph authority to be generally used by the Pakistan Telegraph and Telephone Department shall, unless he proves that he has such authority, be deemed to have committed the offence punishable under section 25B.".

ACT No. LXVIII OF 1975

An Act to provide for the establishment of a Federal Board of Intermediate and Secondary Education.

WHEREAS it is expedient to provide for the establishment of a Federal Board of Intermediate and Secondary Education and for matters connected therewith or incidental thereto ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Federal Board of Intermediate and Secondary Education Act, 1975.

(2) It shall come into force on such date as the Federal Government may, by notification in the official Gazette, appoint in this behalf.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Board" means the Federal Board of Intermediate and Secondary Education ;

(b) "Chairman" means Chairman of the Board ;

(c) "college" means an institution within the jurisdiction of the Board and recognized by it for Intermediate education, and includes a college having Intermediate and Degree classes and affiliated to a University for the Degree classes ;

(d) "committee" means a committee constituted under this Act ;

(e) "head of an institution" means the principal of a college or the headmaster or headmistress of a school ;

(f) "headmaster" and "headmistress" include the principal of a school ;

(g) "institution" means a college or a school ;

(h) "Intermediate college" means an institution recognized for imparting Intermediate education, and includes an institution imparting both Intermediate education and Secondary education ;

(i) "Intermediate education" means education pertaining to class XI and class XII ;

(j) "prescribed" means prescribed by regulations ;

(k) "principal" means head of a college ;

(l) "recognized" means recognized by the Board ;

(m) "school" means an institution within the jurisdiction of the Board and recognized by it only for imparting Secondary education ;

(n) "regulations" means regulations made under this Act ;

(o) "Secondary education" means education pertaining to class IX and class X and such other classes as may be declared by the Federal Government to be classes of Secondary education ; and

(p) "Secretary" means Secretary of the Board.

3. **Constitution of the Board.**—(1) The Federal Government shall, as soon as may be after the commencement of this Act, establish a Board to be known at the Federal Board of Intermediate and Secondary Education.

(2) The Board shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property, both movable and immovable, and shall by the aforesaid name sue and be sued.

4. **Jurisdiction of the Board.**—The Board shall exercise the powers conferred on it by or under this Act in respect of the institutions within the Federal Capital, the Federally Administered Tribal Areas, and such states and territories, not forming part of a Province, as are or may be included in Pakistan, whether by accession or otherwise, institutions established by Pakistan Missions or citizens of Pakistan in foreign countries and such institutions located within the jurisdiction of Cantonment Boards constituted under the Cantonments Act, 1924 (II of 1924), as seek recognition of the Board.

5. **Composition of the Board.**—The Board shall consist of the following members, namely :—

(a) the Chairman, to be appointed by the Federal Government ;

(b) two Vice-Chancellors to be nominated by the University Grants Commission ;

(c) a nominee of the Ministry of Education not below the rank of Deputy Secretary in the Federal Government ;

(d) a nominee of the Directorate of Military Lands and Cantonments to represent the Cantonment Boards ;

(e) one principal to be elected in the prescribed manner by the principals from amongst themselves ;

(f) one headmaster of a school for boys to be elected in the prescribed manner by the headmasters of schools for boys from amongst themselves ;

(g) one headmistress of a school for girls to be elected in the prescribed manner by the headmistresses of schools for girls from amongst themselves ;

(h) the Director, Federal Government Educational Institutions, Islamabad ;

(i) the Director, Institute of Islamic Research, Islamabad ;

(j) three members, of whom one shall be a woman, to be elected by the National Assembly from amongst its members ;

(k) two members to be elected by the Senate from amongst its members; and

(l) one representative each of the Provincial Governments, the Azad Government of the State of Jammu and Kashmir, the administration of the Federally Administered Tribal Areas and the Areas of Gilgit, Baltistan, Nagar Haveli and Hunza.

6. **Terms of members of the Board.**—(1) Unless the Federal Government, being of the opinion that it is necessary in the public interest so to do, removes him from office, a member, other than an *ex-officio* member, shall hold office for a period of three years from the date of his election or nomination, as the case may be.

(2) No *ex-officio* member shall continue to be a member if he ceases to hold the office by virtue of holding which he was appointed.

(3) Any casual vacancy in the office of a member, other than an *ex-officio* member, shall be filled by election or nomination, as the case may be and the person so elected or nominated shall hold office for the unexpired period of the term of his predecessor.

(4) Any member of the Board may, by writing under his hand addressed to the Chairman, resign his office, provided that the resignation shall not have effect until it is accepted by the Chairman.

(5) A member shall, on the expiry of his term of office, be eligible for re-election or re-nomination.

7. **Meetings of the Board.**—(1) The meetings of the Board shall be held in such manner and at such time as may be prescribed:

Provided that, until regulations are made in this behalf, such meetings shall be called by the Chairman.

(2) In the absence of the Chairman from any meeting of the Board, the members present shall elect a member from among themselves to preside at that meeting.

(3) No act or proceedings of the Board shall be invalid merely on the ground of the existence of a vacancy in or defect in the constitution of, the Board.

8. **Powers and functions of the Board.**—(1) Subject to the other provisions of this Act, the Board shall have power to organize, regulate, develop and control Intermediate education and Secondary education.

(2) In particular, and without prejudice to the generality of the foregoing power, the Board shall have the power to—

(a) hold and conduct examinations pertaining to Intermediate education and Secondary education;

(b) prescribe courses of instruction for examinations conducted by the Board, provided that the Board may prescribe different courses of instruction for different classes of institutions;

(c) admit candidates to the examinations conducted by it and prescribe the conditions for admission to such examinations ;

(d) recognize institutions in Pakistan or outside Pakistan :

Provided that, in the case of a Government institution, such recognition shall not be withheld without the prior approval of the Federal Government ;

(e) control and regulate, with the approval of the Federal Government, the examinations held at the Intermediate education and Secondary education level in Pakistan by foreign agencies, professional institutions or bodies or universities ;

(f) withdraw recognition if it is satisfied after inspection carried out under clause (h) that the standards of management and instruction in an institution justify withdrawal, provided that the recognition shall not be withdrawn without the prior approval of the Federal Government ;

(g) fix, demand and receive such fees as may be prescribed ;

(h) cause an inspection to be made by such person or persons as the Board may nominate of recognized institutions or institutions applying for recognition ;

(i) adopt measures to promote the physical and moral well-being of students of recognized institutions, and supervise their residence, health and discipline ;

(j) organize and provide lectures, demonstrations, educational exhibitions and take such other measures as are necessary to promote the standards of Intermediate education and Secondary education ;

(k) institute and award scholarships, medals and prizes subject to such conditions as may be prescribed and to accept endowments for the same subject to such conditions as the Board may deem fit ;

(l) prescribe text-books or other books study and to arrange for publication of such text-books or other books ;

(m) regulate the imposing of penalties for misconduct of students, teachers, examiners and examinees ;

(n) prescribe qualifications for the appointment of teachers in the institutions recognized by the Board ;

(o) submit to the Federal Government its views on any matter with which it is concerned or which the Federal Government or any Provincial Government or a educational institution may refer to it for its advice ;

(p) deposit its surplus funds in any nationalized bank of Pakistan ;

(q) enter into and carry out contracts in exercise of its powers and in the performance of its duties under this Act and the regulations ;

(r) regulate and decide all administrative matters including the creation and abolition of posts under the Board ;

(s) appoint such officers and staff as it may consider necessary for the performance of its functions and to define their duties and conditions of service ;

(t) make provision for buildings, premises, furniture, apparatus, books and other means required for carrying out the purposes of this Act;

(u) pass its annual budget;

(v) sanction or incur such expenditure as may be necessary for carrying out the purposes of this Act; and

(w) do all other acts necessary for carrying out the purposes of this Act.

(3) The Board may delegate any of its powers to the Chairman or any officer of the Board or to a committee or sub-committee appointed by it.

9. **Power of the Federal Government.**—(1) The Federal Government shall have the power to cause inspection to be made by such person or persons as it may direct, of the offices, activities and funds of, and all the examinations conducted by, the Board and to cause an inquiry to be made in like manner in respect of any matter concerning the Board.

(2) The Federal Government shall communicate to the Board the result of such inspection or inquiry and may advise the Board to take such actions and within such period as may be specified.

(3) The Board shall report to the Federal Government the action it proposes to take or has taken on such communication.

(4) Where the Board does not, within a reasonable time, take action to the satisfaction of the Federal Government, the Federal Government may, after considering any explanation made by the Board, issue such directions as it thinks fit and the Chairman shall comply with such directions.

(5) The Federal Government may, from time to time, direct the Board to conduct its affairs and perform its functions in such manner as may be specified.

(6) The Federal Government may require the Board to furnish it with—

(i) any return, statement, estimate, statistics or other information regarding any matter relating to, or under the control of, the Board; or

(ii) a report on any such matter; or

(iii) a copy of any document in the charge of the Board;

and the Chairman shall comply with every such requisition.

(7) If the Board fails or neglects to comply with the directives or orders given to it under sub-section (5) or if, in the opinion of the Federal Government, the Board persistently makes defaults in the performance of its functions under this Act, the Federal Government may supersede the Board and appoint the Chairman in the place of such Board until a new Board is established in accordance with the provisions of this Act and no such supersession or appointment shall be questioned in any court.

10. **Officers of the Board.**—The following shall be the officers of the Board, namely :—

(i) the Chairman ;

(ii) the Secretary ; and

(iii) such other officers as may be appointed by the Board.

11. **Appointment, powers and duties of the Chairman.**—(1) The Chairman shall be appointed by the Federal Government on such terms and conditions as the Federal Government may determine.

(2) The Chairman shall hold office for a term of three years but shall be eligible for reappointment for a second term not exceeding three years :

Provided that, notwithstanding the expiry of the term of his office, he shall continue to hold office until his successor is appointed and enters upon his office.

(3) If at any time the office of Chairman is vacant, or he is unable to perform his functions, temporarily or otherwise, by reason of leave, illness or other cause for a period not exceeding one year, the Federal Government shall make such arrangements for carrying on the duties of the Chairman as it may think fit ; and, until such arrangements are made, the Secretary shall perform the duties of the Chairman.

(4) It shall be the duty of the Chairman to ensure that the provisions of this Act and the regulations are faithfully observed, and he shall exercise all powers necessary for this purpose.

(5) If an emergency arises out of the administrative business of the Board which, in the opinion of the Chairman, requires that immediate action should be taken, the Chairman may take such action as he deems necessary and shall report the action taken to the Federal Government and to the Board as its next meeting for approval.

(6) The Chairman shall exercise such other powers as may be prescribed.

12. **Appointment, powers and duties of the Secretary.**—(1) The Secretary shall be appointed by the Federal Government on such terms and conditions and for such period as the Federal Government may think fit.

(2) The Secretary shall, subject to the control of the Chairman, be the chief administrative officer of the Board, shall be responsible for ensuring that the orders of the Board and the Chairman are carried out and shall execute all contracts for and on behalf of the Board.

(3) The Secretary shall be responsible for ensuring that all moneys are expended on the purpose for which they are granted or allotted and for preparing and submitting to the Board for approval an annual statement of accounts and budget estimates.

(4) The Secretary shall exercise such other powers as may be prescribed.

13. **Appointment and constitution of committees.**—(1) The Board shall appoint Committees of Courses, a Finance Committee and such other committees as it may deem necessary for the proper execution of its business.

(2) Each committee shall consist of members of the Board and of such other persons, if any, as the Board, in each case, may think fit to appoint:

Provided that a person nominated by the Federal Government shall be a member of the Finance Committee.

(3) A committee may, subject to the approval of the Chairman, co-opt persons if the committee so feels.

(4) The term of office of a member of a Committee co-opted under subsection (3) shall be one year from the date of co-opetion:

Provided that a person co-opted in his capacity as a member of a particular body or as the holder of a particular appointment shall hold office only for so long as he is a member of that body or the holder of that appointment, as the case may be.

14. **Fund.**—The Board shall have a fund to which shall be credited all income of the Board, including income from fees, endowments, grants and contributions.

15. **Annual audit of accounts.**—(1) The accounts of the Board shall be maintained in such form and in such manner as may be prescribed.

(2) The accounts of the Board shall be audited every year by the Accountant General, Pakistan Revenues.

(3) The Board shall, at the time of audit, produce all accounts, registers, documents and other papers which may be required by the auditor to assist him in his investigation:

Provided that, if the Federal Government certifies, that a particular document is secret, the auditor shall accept in lieu of such document a statement in respect there of duly certified by the Chairman:

Provided further that, if such a document is confidential, the auditor shall be responsible for preventing disclosure of its contents.

(4) The Board shall, as soon as possible after the end of each financial year, submit to the Federal Government the annual statement of the accounts of the Board, duly audited, together with the report of the auditor.

16. **Provident fund.**—The Board may establish a provident fund for the benefit of its employees and, where it establishes such fund, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such fund.

17. **Powers of the Board to make regulations.**—(1) The Board may, with the approval of the Federal Government, make regulations for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the regulations may provide for all or any of the following matters, namely:—

(a) the procedure for the conduct of, and the number of members required to form a quorum at, meetings of the Board and the committees;

(b) the conduct of examinations, including the appointment of examiners and their duties, powers and remuneration ;

(c) the conditions for admission of candidates to the examinations held by the Board and their eligibility for diplomas, certificates and titles ;

(d) the conditions for the recognition of institutions and the withdrawal of recognition ;

(e) the courses of study to be followed in the institutions imparting Intermediate education or Secondary education or education for other examinations conducted by the Board ;

(f) the institution of scholarships and prizes ;

(g) the election and co-option of members of the Board and its committees ;

(h) the constitution, powers and duties of committees :

(i) the appointment of employees of the Board and the conditions of their service ;

(j) the constitution of a provident fund for the benefit of the employees of the Board ; and

(k) such other matters as may be necessary for giving effect to the provisions of this Act.

M. A. HAQ,
Secretary.

CORRIGENDA

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the 1st August, 1975, containing President's Order No. 4 of 1975.*]

Page 437 : In the Schedule, in column 4, against third entry, *for* " Aftar " *read* " After ".

" 438 : In the Schedule, in column 4, in line 11, *for* " SECTION " *read* " SECTIONS ".

" 439 : In the Schedule, in column 3, against entry 4, *for* " Tools " *read* " Tolls ".

: In the Schedule, in column 4, against entry 4, in line 12, *for* " Tools " *read* " Tolls ".

: In the Schedule, in column 4, in line 20, from the bottom, *for* " or if " *read* " " or if ".

" 440 : In the Schedule, in column 4, in line 19, from the bottom, *for* " "eight " *read* " " eighth ".

: In the Schedule, in column 4, in line 14, from the bottom, *for* " Peshawar, " *read* " Peshawar ".

" 442 : In the Schedule, in column 4, in line 6, *for* " 1973 " : " *read* " 1973:";".

: In the Schedule, in column 4, in line 7, *for* "(46); " *read* "(46), ".

: In the Schedule, in column 4, in line12, *for* " 1973 ":" *read* " 1973:";".

: In the Schedule, in column 4, in line 22, from the bottom, *for* " Tribal " *read* " Tribal Areas ".

: In the Schedule, in column 4, in line 3, from the bottom, *for* " eight " *read* " eighth ".

Page 443 : In the Schedule, in column 4, in line 15, *for* " eight " *read* " eighth ".

: In the Schedule, in column 4, in line 11, from the bottom, *for* " sub-section a " *read* " sub-section ".

,, 445 : In the Schedule, *for* the heading " ORDER XVL " *read* " ORDER XLV ".

,, 448 : In the Schedule, in column 4, against entry 4, *for* " 282 " *read* " 283 " and *for* " Province " *read* " Province ".

,, 449 : In the Schedule, in column 4, against entry 5, *omit* " 1940 ".

: In the Schedule, in column 4, in line 8, from the bottom, *for* " Governemt" *read* " Government ".

,, 451 : In the Schedule, in column 4, in line 15, *for* " ths " *read* " this ".

,, 452 : In the Schedule, in column 4, against entry 2, *for* " West Paktan " *read* " West Pakistan ".

: In the Schedule, in column 4, against entry 5, *for* " ***Substituee*** " *read* " ***Substitute*** ".

,, 453 : In the Schedule, in column 3, against first entry *for* "(Previntion " *read* " (Prevention ".

: In the Schedule, in column 4, against entry 2, *for* " "The Central Government " " *read* " " The Central Government or a Provincial Government " ".

: In the Schedule, in column 4, against entry 3, in lines 14 and 15, *for* " Pnkistan " and "Departemnt " *read* " Pakistan " and " Department ", respectively.

: In the Schedule, in column 4, in line 4, from the bottom, *for* " 13.— " *read* " 13.—(a)".

,, 454 : In the Schedule, in column 4, against entry 5, *for* " Pakistan " *read* " Pakistan " ".

,, 455 : In the Schedule, in column 3, against entry 3, *for* " Ordinance Factories " *read* " Ordnance Factories ".

,, 456 : In the Schedule, in column 4, against entry 3, *for* " Pakitan " *read* " Pakistan ".

,, 459 : In the Schedule, in column 4, in line 3, from the bottom, *for* " Minister's " *read* " Ministers".

,, 460 : In the Schedule, in column 4, against entry 2, *omit* " Pakis- ".

,, 461 : In the Schedule, in column 4, in line 14, from the bottom, *for* " other." *read* " other." ."

,, 462 : In the Schedule, in column 4, in line 10, *for* " Aduitor-" *read* " Auditor ".

: In the Schedule, in column 4, against entry 2, *for* "*for* the Pro- " *read* "*for* " the Pro-".

: In the Schedule, in column 4, against last entry, in line 12, *for* " West " *read* " of West ".

,, 466 : In the Schedule, in column 3, against entry 2, *for* " Test " *read* " Text".

,, 467 : In the Schedule, in column 4, against entry 2, *for* " Frontier " " *read* " Frontier " ".

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ISLAMABAD, FRIDAY, NOVEMBER 21, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 21st November, 1975

The following Act of Parliament received the assent of the President on the 17th November, 1975, is hereby published for general information :—

ACT No. LXIX OF 1975

An Act to constitute certain authorities for the collection and co-ordination of statistics to facilitate economic and other planning

WHEREAS it is expedient to constitute certain authorities for the collection and co-ordination of statistics to facilitate economic and other planning and to provide for matters connected therewith or incidental thereto ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the General Statistics Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such date as the Federal Government may, by notification in the official Gazette, appoint.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "appropriate Government" means,—

(i) in relation to the Federal Statistics Authority or any matter relating to the collection and compilation of statistics for the whole of Pakistan, the Federal Government, and

(ii) in relation to a Provincial Statistics Authority or any matter relating to the collection and compilation of statistics for a Province or a part thereof the Provincial Government ;

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[5091 Ex Gaz.]

(b) "competent authority" means an authority or officer appointed under section 6 to be a competent authority;

(c) "Council" means the National Statistical Council or the Provincial Statistical Council constituted under section 3;

(d) "establishment" means a shop, commercial establishment, industrial establishment, firm, company, private dispensary, maternity home, residential hotel, restaurant, eating house, cafe, cinema, theatre, circus or other place of public amusement or entertainment and such other establishments or class thereof as the Federal Government may, by notification in the official Gazette, declare to be an establishment for the purposes of this Act;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "statistical agent" means any agency, authority or officer, appointed for, or engaged in, the collection of statistics under this Act; and

(g) "Statistics Authority" means the Federal Statistics Authority or a Provincial Statistics Authority appointed under section 5.

3. Statistical Council.—(1) For the whole of Pakistan the Federal Government, and for a Province a Provincial Government, may, by notification in the official Gazette, constitute a Council, to be called respectively the National Statistical Council and a Provincial Statistical Council consisting of such members, including a Chairman, as it may appoint.

(2) The Chairman and members of the Council shall hold office during the pleasure of, and on such terms and conditions as may be determined by, the appropriate Government.

(3) The Council shall regulate its own procedure.

4. Functions of the Council.—The following shall be the functions of the Council, namely :—

(a) to co-ordinate the functions of the Statistics Authorities and competent authorities and to advise them as to the ways and means of achieving efficient, adequate and prompt results;

(b) to approve of the priorities for filling gaps in statistical data and, for that purpose, to allocate functions to the Statistics Authorities;

(c) to draw up schemes for avoiding duplication in the formulation and execution of statistical programmes and to resolve differences in that respect;

(d) to make competent advice and guidance available to Statistics Authorities, competent authorities and statistical agents in the matter of large-scale statistical operations and projects;

(e) to ensure economic and efficient utilization of field services, machine tabulation equipment and other scarce resources;

(f) to promote research and training in statistics; and

(g) to perform such other functions as the appropriate Government may, from time to time, direct.

5. Statistics Authority.—(1) For the whole of Pakistan the Federal Government, and for a Province the Provincial Government, may, by notification in the official Gazette, appoint an officer to be called respectively the Federal Statistics Authority and the Provincial Statistics Authority.

(2) A Statistics Authority shall, in accordance with such instructions as the Council may, from time to time give, perform the following functions, namely :—

(a) drawing up specific statistical programmes to carry out the instructions of the Council ;

(b) appraising the quality of all statistics of national or regional importance ;

(c) laying down and approving forms and procedure for statistical enquiries and ensuring against any duplication and sub-standard data collection ;

(d) standardization of concepts and definitions relating to statistics ;

(e) giving of advice and guidance to, and co-ordinating the functions of, the competent authorities and the statistical agents ;

(f) making of recommendations to the Council relating to the standards of training of statisticians and statistical agents ;

(g) laying down the procedure for a continuing programme of in-service institutional and foreign training ;

(h) periodical review of statistical progress on the basis of reports obtained from the competent authorities and the statistical agents ;

(i) giving of advice to the Federal Government, the Provincial Government and other authorities or persons on the use and relevance of available statistics in relation to specific problems of economic policy ;

(j) identification of gaps in the National, Provincial or Regional statistical series and submission for the consideration of the Council of proposals relating to the order of priority in filling such gaps ;

(k) appraisal and allocation of technical resources required for statistical projects ;

(l) compilation and publication of data of general nature for national and international reference ; and

(m) such other functions as the appropriate Government may, from time to time, direct.

6. Competent Authority.—(1) The appropriate Government may, for the purpose of collection and compilation of statistics on any matter, appoint any authority or officer to be a competent authority for the purposes of this Act.

(2) In the exercise of its powers and performance of its functions under this Act, a competent authority shall be subject to the superintendence, direction and control of the Statistics Authority appointed by the same appropriate Government by which it has been appointed.

7. **Statistical Agents.**—The appropriate Government, and, if so empowered by the appropriate Government, a Statistics Authority and a competent authority, may, for the purpose of collection of statistics or information under this Act, appoint or engage such officers or persons as it may think fit.

8. **Formulation of questionnaire, etc.**—(1) For the purpose of collecting statistics on any matter, a Statistics Authority may, by notification in the official Gazette, formulate such questionnaire as it may think fit, and a competent authority or a statistical agent appointed for the collection of such statistics may require any person within its jurisdiction to give answers to such questionnaire and to such other questions relevant thereto as may be necessary to elicit full answers to the questionnaire.

(2) Any person who is required to give answers to a questionnaire and other relevant questions under sub-section (1) shall give answers to the best of his knowledge and belief.

(3) Nothing in this section shall authorise a Statistics Authority, a competent authority or a statistical agent—

(a) to require a woman to state the name of her husband or deceased husband or any other person whose name she is by custom forbidden to mention ; or

(b) to insist on information of a purely private nature.

9. **Power to call for returns and information.**—Without prejudice to the provisions of section 8, a competent authority may, for the purpose of collecting statistics for which it has been appointed, serve or cause to be served on any person, by post or otherwise, a notice requiring him to furnish to such authority or person in such manner, at such time or intervals and in such form and with such particulars, such information or returns as may be prescribed and a person served with such notice shall accordingly furnish information or returns required thereby.

10. **Right of access to record or document.**—(1) A statistical agent shall, for the purpose of collection of statistics for which he has been appointed, have access to any relevant record or document in the possession of any person required to furnish information or return under section 9 and may, at any reasonable time after due notice, enter any premises, house, vessel or other place wherein he believes such record or document to be and ask any person any questions necessary for obtaining any information required to be furnished by such person.

(2) Every person owning or occupying any premises, house, vessel or land shall allow a statistical agent such access thereto as he may reasonably require for the purpose of collection of statistics for which he has been appointed and shall allow him to paint on, affix to or dig in the premises, house, vessel or land such letters, marks or objects as may be necessary for such purpose.

11. **Secrecy of answers, information and returns.**—All answers to the questions received and all information and returns furnished under this Act shall be confidential and shall not be—

(a) used for any purpose other than compilation of statistics under this Act ;

(b) published in a form which may disclose the state of affairs of any particular individual, firm or institution ;

(c) divulged, except with the written consent of the person answering the question or furnishing the information or return, to any person not connected officially with the enquiry in relation to which the said answers, information or returns have been called for ;

(d) accessible to the inspection of any person otherwise than for the purpose of prosecution for contravention of the provisions of this Act ; or

(e) disclosed to any person, or used or, notwithstanding anything contained in the Evidence Act, 1872 (I of 1872), be admissible in evidence in any proceedings to which the person giving the answer or furnishing the information or return is a party, except for the purpose of prosecution for contravention of the provisions of this Act.

12. **Penalty for refusal to answer questions, etc.**—Whoever, after he has been given due notice to answer any questionnaire or to furnish any information or returns under this Act, wilfully and without lawful excuse, refuses or fails to answer, to the best of his knowledge and belief, such questionnaire or other relevant questions asked of him by a statistical agent which he is legally bound to answer, or to furnish such information or returns, within the period specified in the notice or within the period allowed in a further notice which shall be given to him by the authority which gave him the earlier notice, shall be punishable with fine which may extend to five hundred rupees and, in the case of an establishment, with a further fine which may extend to two hundred rupees for every day, after the first, during which the offence continues.

13. **Penalty for obstructing statistical agents, etc.**—Whoever, refuses a statistical agent any right of access conferred by section 10 or wilfully obstructs him in the discharge of his duties under this Act or, before the collection of information or statistics for which any letter, mark or object was painted, affixed or dug on, to or in any premises, house, vessel or land, or, without lawful authority, removes, obliterates, alters or damages such letter, mark or object, shall be punishable,—

(a) in the case of an establishment, with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both ; and

(b) in any other case, with fine which may extend to five hundred rupees.

14. **Penalty for giving or furnishing false answers, information or returns.**—Whoever, wilfully gives a false answer to a questionnaire or other relevant question or furnishes or causes to be furnished any information or return which he knows to be false shall be punishable with fine which may extend to one thousand rupees in the case of an establishment and five hundred rupees in any other case.

15. **Penalty for improper disclosure of information, etc.**—Whoever, being engaged for or in connection with the collection of statistics under this Act, wilfully discloses, otherwise than in the discharge of his duties or for the purposes of prosecution for contravention of any of the provision of this Act, any answer to a questionnaire, or any information or the contents of any return, given or furnished under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

16. **Prosecution under other laws.**—Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for the time being in force for any act or omission which constitutes an offence under such other law.

17. **Sanction for prosecution.**—No prosecution for an offence under this Act, or for an act or omission which constitutes an offence under any other law, shall be instituted except with the previous sanction of the appropriate Government or of a person authorised by it in this behalf.

18. **Jurisdiction.**—No court inferior to that of a Magistrate of the first class shall try an offence under this Act.

19. **Act not to authorise collection of certain information or statistics.**—Nothing in this Act shall authorise the collection of statistics or of any information relating to any work of defence, arsenal, naval, military or air force establishment or any other defence factory, installation or establishment.

20. **Power to make rules.**—The appropriate Government may make rules for carrying out the purposes of this Act.

21. **Power of Federal Statistics Authority to issue directions.**—Notwithstanding anything contained in any other law for the time being in force, which provides for the collection of statistics, the Federal Statistics Authority may issue to any other authority functioning under any such law such directions as it may consider necessary for the purposes of this Act.

M. A. HAQ,
Secretary.

CORRIGENDA

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the 21st October, 1975, containing Ordinance No. XX of 1975.*]

Page 551 : In the last line, *for* " knowledeg" *read* " knowledge ".
" 553 : In line 11 from the bottom, *for* " writing " *read* " writing,".
" 558 : In line 17 from the bottom, *for* " licences " *read* " licencees ".
" 561 : In line 23, *for* " In 14 " *read* " In line 14 ".
" 562 : In line 9 from the bottom, *for* " Pgae " *read* " Page ".

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 22nd November, 1975

The following Act of Parliament received the assent of the President on the 17th November, 1975, and is hereby published for general information :—

ACT No. LXX OF 1975

An Act further to amend the Legal Practitioners and Bar Council Act, 1973

WHEREAS it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), for the purpose hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Legal Practitioners and Bar Councils (Second Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 4, Act XXXV of 1973.**—In the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), in section 4, in the proviso, for the words, comma and figure " be for the remainder period of the term of three years beginning on the first day of January, 1973 " the words, comma and figure " expire on the thirty-first day of December, 1976 " shall be substituted.

M. A. HAQ,
Secretary.

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ISLAMABAD, TUESDAY, NOVEMBER 25, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 25th November, 1975

The following Act of Parliament received the assent of the President on the 21st November, 1975, and is hereby published for general information :—

ACT No. LXXI OF 1975

An Act further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Fourth Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 8 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 8,—

(a) in clause (3), for paragraph (b) the following shall be substituted, namely :—

"(b) any of the—

(i) laws specified in the First Schedule as in force immediately before the commencing day or as amended by any of the laws specified in that Schedule ;

(ii) other laws specified in Part I of the First Schedule ;" ; and

(b) in clause (4), for the words and commas "the First Schedule, not being a law which relates to, or is connected with, economic reforms,"

Price : Ps. 19

the words and figure "Part II of the First Schedule" shall be substituted.

3. **Amendment of Article 17 of the Constitution.**—In the Constitution, in Article 17, in clause (1), for the words "morality or public order" the words and comma "sovereignty or integrity of Pakistan, public order or morality" shall be substituted.

4. **Amendment of Article 19 of the Constitution.**—In the Constitution, in Article 19, for the word "defamation" the words "commission of" shall be substituted.

5. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,—

(a) after clause (2), the following new clause shall be inserted, namely :—

"(2A) In addition to the number of seats referred to in clause (1), there shall be in the National Assembly six additional seats reserved for the persons referred to in clause (3) of Article 106."; and

(b) after clause (4), the following new clause shall be inserted, namely :—

"(4A) As soon as practicable after the general election to the National Assembly, the members to fill seats reserved in that Assembly for the persons referred to in clause (2A) shall be elected in accordance with law by the members of the Assembly referred to in clause (1)."

6. **Amendment of Article 54 of the Constitution.**—In the Constitution, in Article 54, in clause (2), the following explanation shall be added at the end, namely :—

"*Explanation.*—In this clause, 'working days' includes any day on which there is a joint sitting and any period, not exceeding two days, for which the National Assembly is adjourned.".

7. **Amendment of Article 106 of the Constitution.**—In the Constitution, in Article 106, in clause (3),—

(a) for the word "or", occurring for the second time, the words "and other non-Muslims and persons belonging to" shall be substituted; and

(b) for the figure "3" against the Province of the Punjab the figure "5" shall be substituted.

8. **Amendment of Article 199 of the Constitution.**—In the Constitution, in Article 199,—

(a) after clause (3), the following new clause shall be inserted, namely :—

"(3A) A High Court shall not make an order under clause (1)—

(a) prohibiting the making of an order for the detention of a person, or

(b) for the grant of bail to a person detained, under any law providing for preventive detention."; and

(b) after clause (4), the following new clause shall be inserted, namely :—

"(4A) An interim order made by a High Court on an application made to it to question the validity or legal effect of any order made, proceeding taken or act done by any authority or person, which has been made, taken or done or purports to have been made, taken or done under any law which is specified in Part I of the First Schedule or relates to, or is connected with, assessment or collection of public revenues shall cease to have effect on the expiration of a period of sixty days following the day on which it is made, unless the case is finally decided, or the interim order is withdrawn, by the Court earlier.".

9. **Amendment of Article 271 of the Constitution.**—In the Constitution, in Article 271, in clause (1),—

(a) after the words "subject to", the word, figure and comma "Article 63," shall be inserted;

(b) for paragraph (a) the following shall be substituted, namely :—

"(a) the first National Assembly shall consist of—

(i) persons who have taken oath in the National Assembly of Pakistan existing immediately before the commencing day, and

(ii) the persons to be elected in accordance with law by the members of the Assembly to fill the seats referred to in clause (2A) of Article 51,

and, unless sooner dissolved, shall continue until the fourteenth day of August, one thousand nine hundred and seventy seven; and reference to 'total membership' of the National Assembly in the Constitution shall be construed accordingly;"; and

(c) in paragraph (b), after the word "vacancies", the commas, words, brackets, figures and letter ", or to be elected to the additional seats referred to in clause (2A) of Article 51," shall be inserted.

10. **Amendment of Article 272 of the Constitution.**—In the Constitution, in Article 272,—

(a) the brackets and figure "(1)", occurring after the figure "272", shall be omitted; and

(b) after the words "subject to", the words and figure "Article 63 and" shall be inserted.

11. **Amendment of Article 273 of the Constitution.**—In the Constitution, in Article 273, in clause (1),—

(a) after the words "subject to", the word, figure and comma "Article 63," shall be inserted; and

(b) for paragraph (a) the following shall be substituted, namely :—

"(a) the first Assembly of a Province under the Constitution shall consist of—

(i) the members of the Assembly of that Province in existence immediately before the commencing day, and

(ii) the additional members to be elected in accordance with law by the members of the Assembly to fill the seats referred to in clause (3) of Article 106,

and, unless sooner dissolved, shall continue until the fourteenth day of August, one thousand nine hundred and seventy-seven ; and reference to " total membership " of the Assembly of a Province in the Constitution shall be construed accordingly ; " ; and

(c) in paragraph (b), after the word " vacancies ", the commas, words, brackets and figures ", or to be elected to the additional seats referred to in clause (3) of Article 106, " shall be inserted.

12. **Substitution of the First Schedule to the Constitution.**—In the Constitution, for the First Schedule the Schedule set out in the Schedule to this Act shall be substituted.

13. **Amendment of the Fourth Schedule to the Constitution.**—In the Constitution, in the Fourth Schedule, in the Concurrent Legislative List, after entry 43, the following new entry shall be inserted, namely :—

" 43A. Auqaf.".

14. **Certain orders shall cease to have effect after specified period.**—An interim order such as is referred to in clause (4A) of Article 199 of the Constitution made by a High Court before the commencement of this Act shall cease to have effect at the expiration of sixty days from such commencement, unless the case is finally decided, or the interim order is withdrawn, by the Court earlier.

THE SCHEDULE

[*See* section 12]

" FIRST SCHEDULE

[Article 8(3) (b) and (4)]

Laws exempted from the operation of Article 8 (1) and (2).

PART I

I. PRESIDENT'S ORDERS

1. The Acceding State (Property) Order, 1961 (P.O. No. 12 of 1961).
2. The Economic Reforms Order, 1972 (P.O. No. 1 of 1972).

II. REGULATIONS

1. The Land Reforms Regulation, 1972.
2. The Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972.
3. The Economic Reforms (Protection of Industries) Regulation, 1972.
4. The Distribution of Property (Chitral) Regulation, 1974 (II of 1974).
5. The Settlement of Disputes of Immovable Property (Chitral) Regulation, 1974 (III of 1974).
6. The Dir and Swat (Devolution and Distribution of Property and Settlement of Disputes of Immovable Property) (Amendment) Regulation, 1975 (II of 1975).

III. FEDERAL ACTS

1. The Land Reforms (Amendment) Act, 1974 (XXX of 1974).
2. The Land Reforms (Amendment) Act, 1975 (XXXIX of 1975).

IV. ORDINANCES PROMULGATED BY THE PRESIDENT

The Land Reforms (Amendment) Ordinance, 1975 (XXI of 1975), and the Federal Act enacted to replace the said Ordinance.

V. PROVINCIAL ACTS

1. The Land Reforms (Baluchistan Amendment) Act, 1974 (Baluchistan Act XI of 1974).
2. The Land Reforms (Pat Feeder Canal Regulation) (Amendment) Act, 1975 (Baluchistan Act VII of 1975).

PART II

I. PRESIDENT'S ORDERS

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2. The Companies (Managing Agency and Election of Directors) Order, 1972 (P.O. No. 2 of 1972).
3. The Co-operative Societies (Reforms) Order, 1972 (P.O. No. 9 of 1972).
4. The Life Insurance (Nationalization) Order, 1972 (P.O. No. 10 of 1972).
5. The Martial Law (Pending Proceedings) Order, 1972 (P.O. No. 14 of 1972).
6. The Rulers of Acceding States (Abolition of Privy Purses and Privileges) Order, 1972 (P.O. No. 15 of 1972).
7. The Industrial Sanctions and Licences (Cancellation) Order, 1972 (P.O. No. 16 of 1972).
8. The Criminal Law Amendment (Special Court) Order, 1972 (P.O. No. 20 of 1972).

II. REGULATIONS

1. Rawalpindi (Requisition of Property) Regulation, 1959.
2. The Pakistan Capital Regulation, 1960.
3. The Scrutiny of Claims (Evacuee Property) Regulation, 1961.
4. The Income Tax (Correction of Returns and False Declaration) Regulation, 1969.
5. The Improper Acquisition of Property Regulation, 1969.
6. The Removal from Service (Special Provisions) Regulation, 1969.
7. The Living Beyond Ostensible Means (Punishment) Regulation, 1969.
8. The Government Agricultural Land (Recovery of Illegal Possession) Regulation, 1969.

9. The Enemy Property (Payment of Money Due to Enemy) Regulation, 1970.
10. The Withdrawal of Currency Notes (High Denomination) Regulation, 1971.
11. The Price of Evacuee Property and Public Dues (Recovery) Regulation, 1971.
12. The Peshawar District and Tribal Areas (Settlement of Disputes) Regulation, 1971.
13. The Convention Muslim League and Awami League (Scrutiny of Funds) Regulation, 1971.
14. The Foreign Exchange Repatriation Regulation, 1972.
15. The Foreign Assets (Declaration) Regulation, 1972.
16. The Removal from Service (Review Petition) Regulation, 1972.
17. The Privately Managed Schools and Colleges (Taking Over) Regulation, 1972.
18. The Enemy Property Revocation of Sales) Regulation, 1972.
19. The Dir and Swat (Devolution and Distribution of Property) Regulation, 1972.
20. The Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972.
21. The West Pakistan Industrial Development Corporation (Revocation of Sale or Transfer) Regulation, 1972.
22. The National Press Trust (Suspension of Board of Trustees and Directors) Regulation, 1972.
23. The Co-operative Banks (Repayment of Loans) (Punjab) Regulation, 1972.
24. The Co-operative Societies (Repayment of Loans) (Sind) Regulation, 1972.

III. ORDINANCES PROMULGATED BY THE PRESIDENT

1. The Control of Shipping Ordinance, 1959 (XIII of 1959).
2. The Jammu and Kashmir (Administration of Property) Ordinance, 1961 (III of 1961).
3. The Muslim Family Laws Ordinance, 1961 (VIII of 1961).
4. The Security of Pakistan (Amendment) Ordinance, 1961 (XIV of 1961).
5. The Associated Press of Pakistan (Taking Over) Ordinance, 1961 (XX of 1961).
6. The Trade Organisations Ordinance, 1961 (XLV of 1961).

IV. FEDERAL ACTS

The Censorship of Films Act, 1963 (XVIII of 1963).

V. ORDINANCES PROMULGATED BY THE GOVERNOR OF FORMER PROVINCE OF WEST PAKISTAN

1. The West Pakistan Government Educational and Training Institutions Ordinance, 1960 (W.P. Ordinance No. XI of 1960).
2. The West Pakistan Wakf Properties Ordinance, 1961 (W.P. Ordinance No. XXVIII of 1961).
3. The Societies Registration (West Pakistan Amendment) Ordinance, 1962 (W.P. Ordinance No. IX of 1962).
4. The West Pakistan Industries (Control on Establishment and Enlargement) Ordinance, 1963 (W.P. Ordinance No. IV of 1963).

VI. ORDINANCES PROMULGATED BY THE GOVERNOR OF THE NORTH-WEST FRONTIER PROVINCE

1. The North-West Frontier Province Government Educational and Training Institutions Ordinance, 1971 (N.W.F.P. Ordinance No. III of 1971).
2. The North-West Frontier Province Chashma Right Bank Canal Project (Control and Prevention of Speculation in Land) Ordinance, 1971 (N.W.F.P. Ordinance No. V of 1971).
3. The North-West Frontier Province Gomal Zam Project (Control and Prevention of Speculation in Land) Ordinance, 1971 (N.W.F.P. Ordinance No. VIII of 1971).

M. A. HAQ,
Secretary.

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ISLAMABAD, WEDNESDAY, DECEMBER 3, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 3rd December, 1975

The following Act of Parliament received the assent of the President on the 29th November, 1975, and is hereby published for general information :—

ACT No. LXXII OF 1975

An Act further to amend the Land Reforms Regulation, 1972

WHEREAS it is expedient further to amend the Land Reforms Regulation, 1972, for the purpose hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan is in force ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Land Reforms (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of the Land Reforms Regulation, 1972.**—In the Land Reforms Regulation, 1972, in paragraph 29, in the third proviso, in clause (a), for the figures, letters, words and comma "30th day of September, 1975" the figures, letters, words and comma "31st day of March, 1976" shall be substituted and shall be deemed to have been so substituted on the first day of October, 1975.

3. **Repeal.**—The Land Reforms (Amendment) Ordinance, 1975 (XXI of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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ISLAMABAD, SATURDAY, DECEMBER 6, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 6th December, 1975

The following Act of Parliament received the assent of the President on the 4th December, 1975, and is hereby published for general information :—

ACT No. LXXIII OF 1975

An Act further to amend the Pakistan Army Act, 1952

WHEREAS it is expedient further to amend the Pakistan Army Act, 1952 (XXXIX of 1952), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Pakistan Army (Amendment) Act, 1975.

(2) It shall come into force at once and section 2 shall be deemed to have taken effect on the sixteenth day of December, 1971.

2. Amendment of section 2, Act XXXIX of 1952.—In the Pakistan Army Act, 1952 (XXXIX of 1952), hereinafter referred to as the said Act, in section 2,—

(1) in sub-section (1), in clause (d), for the full stop at the end a semicolon shall be substituted, and thereafter the following new clause shall be added, namely :—

> "(e) persons not otherwise subject to this Act who belonged to the former East Pakistan Civil Armed Forces and were repatriated to Pakistan after the sixteenth day of December, 1971." ; and

(2) in sub-section (2), after the words, brackets and letter "or clause (b)", the words, brackets and letter "or clause (e)" shall be inserted.

Price : Ps. 6.

[7049 Ex. Gaz.]

3. Insertion of new section 2B, Act XXXIX of 1952.—In the said Act, after section 2A, the following new section shall be inserted, namely :—

> "2B. *Secondment to other armed forces.*—The Federal Government may by order in writing direct that any person referred to in clause (a) of sub-section (1) of section 2, other than a junior commissioned officer or warrant officer, shall, under such conditions as may be laid down by regulations, be seconded for service with any other armed forces raised or maintained by the Federal Government, including civil armed forces.".

4. **Repeal.**—The Pakistan Army (Amendment) Ordinance, 1975 (XIV of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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ISLAMABAD, FRIDAY, DECEMBER 12, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 12th December, 1975

The following Acts of Parliament received the assent of the President on the 9th December, 1975, and are hereby published for general information :—

ACT No. LXXIV OF 1975

An Act to provide for the prohibition of cutting of trees near the external frontiers of Pakistan

WHEREAS it is expedient to provide for the prohibition of cutting of trees or causing damage to the standing and growing trees within five miles of the external frontiers of Pakistan and for matters ancillary thereto;

It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Cutting of Trees (Prohibition) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(a) "formation" means a Corps, Division or Brigade of the Pakistan Army;

(b) "local formation commander", in relation to an area, means an officer for the time being in command of the formation in the area; and

(c) "tree" means a large plant with a self-supporting trunk.

Price : Ps. 13

[7114 Ex. Gaz.]

3. **Cutting, etc., of trees prohibited.**—Notwithstanding anything contained in any other law for the time being in force, no person shall, without the prior written approval of the local formation commander or an officer authorised by him in this behalf, cut, fell or damage or cause to be cut, felled or damaged any tree growing within the five miles belt along the external frontiers of Pakistan.

4. **Penalty.**—Whoever contravenes the provisions of this Act or the rules made thereunder shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

5. **Power to make rules.**—The Federal Government may make rules for carrying out the purposes of this Act.

ACT No. LXXV OF 1975

An Act further to amend the Life Insurance (Nationalisation) Order, 1972

WHEREAS it is expedient further to amend the Life Insurance (Nationalisation) Order, 1972, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Life Insurance (Nationalisation) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 22, P. O. No. 10 of 1972.**—In the Life Insurance (Nationalisation) Order, 1972 (P. O. No. 10 of 1972), hereinafter referred to as the said Order, in Article 22, in clause (1), after sub-clause (f), the following new sub-clause (g) shall be added and shall be deemed always to have been so added, namely :—

"(g) acted, or omitted to act, in violation of any provision of the Act and has thereby caused a loss to, or imposed a liability on, the insurer. ".

3. **Amendment of Article 40, P. O. No. 10 of 1972.**—In the said Order, in Article 40, in clause (3),—

(a) after the word and comma "assets,", the words and commas "or that loss has been caused to, or liability imposed on, the insurer by reason of its having acted, or omitted to act, in violation of any of the provisions of the Act," shall be inserted ; and

(b) after the word "difference", twice occurring, the comma and words ", loss or liability" shall be inserted.

4. **Insertion of new Article 40B, P. O. No. 10 of 1972.**—In the said Order, after Article 40A, the following new Article 40B shall be inserted, namely :—

"40B. *Certain amounts recoverable as an arrear of land revenue.*—Notwithstanding anything contained in this Order or in any other law for the time being in force and without prejudice to the right of the Corporation to recover its dues in any other manner, any dues of the Corporation determined by the Tribunal, or payable under a decree of any court, shall be recoverable as an arrear of land revenue. ".

5. **Repeal.**—The Life Insurance (Nationalisation) (Amendment) Ordinance, 1975 (VIII of 1975), is hereby repealed.

ACT NO. LXXVI OF 1975

An Act further to amend the Pakistan Insurance Corporation Act, 1952

WHEREAS it is expedient further to amend the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Insurance Corporation (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XXXVIII of 1952.**—In the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), hereinafter referred to as the said Act, in section 2, after clause (aa), the following new clause (aaa) shall be inserted, namely:—

"(aaa) 'Chairman' means the Chairman appointed under section 9;".

3. **Amendment of section 6, Act XXXVIII of 1952.**—In the said Act, in section 6, in sub-section (1), for the words "a Managing Director" the words "the Chairman" shall be substituted.

4. **Amendment of section 9, Act XXXVIII of 1952.**—In the said Act, in section 9,—

(a) for the heading "Managing Director" the heading "Chairman" shall be substituted;

(b) in sub-section (1),—

(i) for the words "A Managing Director" the words "The Chairman" shall be substituted;

(ii) in clause (a), after the word "Corporation", the words "and its chief executive" shall be added; and

(iii) for clause (b) the following shall be substituted, namely:—

"(b) be responsible for the management of the affairs of the Corporation and, in addition to his functions as the chief executive, exercise such powers and perform such functions as may be prescribed or as may be assigned to him by the Board;"; and

(c) in sub-section (2), for the words "Managing Director" the word "Chairman" shall be substituted.

5. **Amendment of section 10, Act XXXVIII of 1952.**—In the said Act, in section 10, in sub-section (1), for clause (c) the following shall be substituted, namely:—

"(c) the Chairman.".

6. **Amendment of section 11, Act XXXVIII of 1952.**—In the said Act, in section 11, in sub-section (3), for the words "Managing Director" the word "Chairman" shall be substituted.

7. **Amendment of section 12, Act XXXVIII of 1952.**—In the said Act, in section 12, in clause (a), for the words "Managing Director" the word "Chairman" shall be substituted.

8. **Omission of section 15, Act XXXVIII of 1952.**—In the said Act, section 15 shall be omitted.

9. **Amendment of section 16, Act XXXVIII of 1952.**—In the said Act, in section 16, in sub-section (1), in clause (a), for the words "Managing Director who shall" the words "Chairman who shall also" shall be substituted.

10. **Amendment of section 17, Act XXXVIII of 1952.**—In the said Act, in section 17,—

(a) in sub-section (1), in the proviso, the words and comma "of the Board or of the Committee, as the case may be" shall be omitted ; and

(b) in sub-section (5), for clauses (a) and (b) the following shall be substituted, namely :—

> "(a) of the Board, a Director authorised in writing by the Chairman shall preside at the meeting ; and, in default of such authorisation, the Board may elect a Chairman to preside at the meeting ; and
>
> (b) of the Executive Committee, a Member authorised in writing by the Chairman shall preside at the meeting ; and, in default of such authorisation, the Executive Committee may elect a Chairman to preside at the meeting.".

11. **Amendment of section 26, Act XXXVIII of 1952.**—In the said Act, in section 26, in sub-section (2), for the words "equivalent to" the words "four per cent above" shall be substituted.

12. **Amendment of section 29, Act XXXVIII of 1952.**—In the said Act, in section 29, after sub-section (2), the following new sub-section shall be added, namely :—

> "(3) Notwithstanding anything contained in this Act or in any other law for the time being in force and without prejudice to the right of the Corporation to recover its dues in any other manner, any amount payable to the Corporation under sub-section (1) shall be recoverable as an arrear of land revenue.".

13. **Savings.**—Notwithstanding the provisions of the said Act as amended by this Act, the person holding, immediately before the commencement of this Act, the office of Managing Director of the Pakistan Insurance Corporation shall, upon such commencement, be deemed to have been appointed to be the Chairman of the Corporation and, until the powers or functions to be exercised or performed by the Chairman are prescribed or assigned to him by the Board, shall continue to exercise or perform the powers or functions which he was authorised to exercise or perform immediately before such commencement.

14. **Repeal.**—The Pakistan Insurance Corporation (Amendment) Ordinance, 1975 (XXII of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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ISLAMABAD, THURSDAY, DECEMBER 18, 1975

PART I

Acts, Ordinances, President's Orders and Regulations.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 18th December, 1975

The following Acts of Parliament received the assent of the President on the 13th December, 1975, and are hereby published for general information :—

ACT No. LXXVII OF 1975

An Act to provide for the constitution and regulation of the Airports Security Force

WHEREAS it is expedient to provide for the constitution and regulation of the Airports Security Force for ensuring security of all aerodromes, airports, aircraft and civil aviation installations, and for the maintenance of law and order therein, and for matters connected therewith or ancillary thereto ;

It is hereby enacted as follows :—

CHAPTER I

1. **Short title, extent, application and commencement.**—(1) This Act may be called the Airports Security Force Act, 1975.

(2) It extends to all aerodromes and airports, all civil aviation stations, centres or offices in Pakistan, all Pakistan air services and activities relating to civil aviation.

(3) It shall apply to all members and officers of the Force wherever they may be.

(4) It shall come into force at once.

Price : Ps. 25

[7149 Ex. Gaz.]

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) " aerodrome " means any area of land or water designed, equipped, set apart or commonly used or intended to be used, either wholly or in part, for affording facilities for the landing, departure and movement of aircraft and includes all buildings, sheds, vessels, piers, installations and equipments, and other structures thereon or appertaining thereto, but does not include any aerodrome which is exclusively used by the Pakistan Air Force or any portion of an aerodrome which is used by the Pakistan Air Force ;

(b) " aircraft " means any machine which can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth's surface, and includes balloons, whether captive or free, airships, kites, gliders and flying machines ;

(c) " airport " means an aerodrome at which facilities have, in the opinion of the Federal Government, been sufficiently developed to be of importance to civil aviation ;

(d) " air service " means a service of aircraft for any purpose of civil aviation, whether aerial work, public transport or otherwise ;

(e) " air side " means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof, access to which is controlled by the Civil Aviation Department ;

(f) " competent authority " means any officer or authority designated as such by the Federal Government ;

(g) " Director-General " means the Director-General of Civil Aviation or any person performing the duties of the Director-General ;

(h) " Force " means the Airports Security Force constituted under section 3 ;

(i) " Force Commander " means the Commander incharge of the Force ;

(j) " Manager " means the Airport Manager appointed by the Federal Government or any person performing the duties of Manager at an aerodrome or at an airport or designated as being incharge of an aerodrome or of an airport ;

(k) " member " means a person, other than an officer, who is appointed to the Force and has signed an affirmation in the form set out in the First Schedule ;

(l) " officer " means a person who is so appointed to the Force and has signed an affirmation in the form set out in the First Schedule ;

(m) " operator " means a person, organisation or enterprise engaged in or offering to engage in aircraft operation ;

(n) " prescribed " means prescribed by rules or regulations ;

(o) " purposes of civil aviation " include all purposes connected with civil aviation and with air navigation, except purposes of defence by air ;

(p) " regulations " means regulations made under this Act ; and

(q) " rules " means rules made under this Act.

CHAPTER II

3. **Power to constitute and maintain the Airports Security Force and its functions.**—(1) The Federal Government may constitute and maintain a force to be called the Airports Security Force for performing the following functions, namely :—

(a) ensuring security of all airports, aerodromes, aircraft and civil aviation installations and for safeguarding civil aviation against acts of unlawful interference or threats of such interference ;

(b) ensuring security of all structures, equipments, material and installations belonging to operators and other Government or non-Government organisations within the limits of airports and aerodromes ;

(c) operating and maintaining the airports fire services ;

(d) protecting the airport and its vicinity from bird hazard and pollution ;

(e) ensuring the proper conduct of persons at airports and aerodromes as laid down in the Aircraft Rules, 1937, including control of surface vehicles and drivers within the limits of airports and aerodromes ;

(f) ensuring security of aircraft passengers, baggage, cargo and mail within the limits of airports and aerodromes ;

(g) general maintenance of law and order within the limits of airports and aerodromes in conjunction with the police and taking cognizance of all offences committed at the airports and aerodromes under any law for the time being in force ; and

(h) such other functions as the Federal Government may, by notification in the official Gazette, require the Force to perform.

(2) In the discharge of their functions, the officers and members shall be guided by, and act in accordance with, this Act, the Civil Aviation Ordinance, 1960 (XXXII of 1960), the Aircraft Rules, 1937, and the rules and regulations.

4. **Constitution of the Airports Security Force.**—(1) The head of the Force shall be a Force Commander appointed by the Federal Government.

(2) The Force shall consist of such ranks and number of officers and members and shall be constituted in such manner as may be prescribed by rules.

(3) The officers and members shall receive such pay, pension, allowances and other remuneration and shall enjoy such leave and other privileges as may be prescribed by rules from time to time.

(4) Every officer and member shall receive on his appointment a certificate in the form set out in the Second Schedule under the seal of the Director-General or such other officer as the Director-General may authorise in this behalf and by virtue of holding such certificate he shall be vested with the powers, functions and privileges of an officer or member.

(5) Any person who ceases, for any reason, to be an officer or member shall forthwith surrender the certificate referred to in sub-section (4) to any officer authorised by the Force Commander in this behalf.

(6) Officers and members of the Force shall wear such uniforms as may be prescribed by regulations.

5. **Administration of the Force.**—(1) The administration of the Force shall vest in the Force Commander who shall administer it in accordance with the provisions of this Act, rules and such orders and instructions as may be made or issued by the Federal Government from time to time.

(2) The Force Commander shall exercise his powers and perform his functions under the general supervision of the Director General.

CHAPTER III

6. **Powers and duties of officers and members.**—(1) An officer or member shall—

(a) take effective measures for ensuring security of all airports, aerodromes, aircraft and civil aviation installations and for safeguarding civil aviation against acts of unlawful interference ;

(b) safeguard aircraft passengers, baggage, cargo and mail within the limits of aerodromes and airports ;

(c) prevent unauthorised persons and vehicles from access to the air-side or other areas important to the security of the aerodromes or airports ;

(d) require the operations of aircraft registered in Pakistan to conform to the prescribed civil aviation security requirements ;

(e) take effective measures for preventing hijacking, sabotage, placement of car bombs, letter bombs and dangerous articles, smuggling of precious metals, stones, arms, ammunition, narcotics and any other goods the bringing into, or taking out of Pakistan of which is prohibited by or under any law for the time being in force ;

(f) use such arms and ammunition and equipment as may be authorised by the Force Commander for the purposes of this Act ;

(g) search and arrest without warrant any person who he suspects of endangering, or attempting to endanger, or having endangered, the safety of an aerodrome or airport or an aircraft or a civil aviation installation and may use such force as may be necessary in the discharge of his duties aforesaid ; and

(h) perform such other functions as the competent authority may require him to perform.

(2) An officer, for the purpose of this Act, shall exercise, within the areas in which this Act applies, all the powers conferred on an officer in-charge of a police station under the Police Act, 1861 (V of 1861), and the Code of Criminal Procedure, 1898 (Act V of 1898).

7. **Liabilities of officers and members.**—(1) It shall be the duty of every officer and member promptly to obey and execute all orders and instructions issued to him by any competent authority.

(2) Every officer and member shall be liable to serve wherever he is required to serve by the competent authority.

(3) Every officer or member who is guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by a competent authority, or who withdraws from his duties without permission, or without having given previous notice of two months, or who, being absent on leave, fails, without reasonable cause, to report himself for duty on the expiration of such leave, or who engages without authority in any employment other than his duty under this Act, or who is guilty of cowardice, or who offers any unwarrantable personal violence to any person in his custody, shall be liable

to be proceeded against departmentally and to be awarded such punishment, including imprisonment for a term which may extend to six months and fine which may extend to the amount of his pay for three months, as may be prescribed by rules.

8. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done, or intended to be done, under this Act or the rules or regulations.

9. **Delegation of powers by the Federal Government.**—The Federal Government may, by notification in the official Gazette, delegate all or any of its powers under this Act, except those under section 11, to the Director-General.

10. **Delegation of powers by the Director-General.**—The Director-General may, by notification in the official Gazette and with the prior approval in writing of the Federal Government, delegate all or any of his powers under the rules for the efficient functioning of the Force to any officer or authority subordinate to him.

11. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules—

(a) regulating the functions and powers of the officers ;

(b) regulating the classes and grades of, and the remuneration and rewards to be paid to, the officers and members of the Force and their conditions of service ;

(c) prescribing and regulating the award of departmental punishments ;

(d) appointing the place where a person punished with imprisonment under section 7 may be kept in custody ; and

(e) generally for the purpose of carrying into effect the provisions of this Act.

12. **Power to make regulations.**—The Director-General may, by notification in the official Gazette and with the prior approval in writing of the Federal Government, make regulations consistent with this Act and the rules for carrying out the purposes of this Act.

13. **Repeal.**—The Airports Security Force Ordinance, 1975 (XII of 1975), is hereby repealed.

FIRST SCHEDULE

[*See* section 2 (k) and (1)]

FORM OF AFFIRMATION

I, ... solemnly affirm in the presence of Almighty Allah that I will bear true faith and allegiance to Pakistan and that I will, as in duty bound, honestly and faithfully serve in the Airports Security Force and go wherever I may be ordered by air, land or sea, and that I will observe and obey all commands of any officer set over me even to the peril of my life.

Signed in acknowledgement of the above having been read out to me.

Person Enrolled

Date…………………

Signed in my presence after I had ascertained that the person understood the purpose of what he signed.

Force Commander
or
other Enrolling Officer.

ROMAN URDU TRANSLATION OF AFFIRMATION

Main……………………Khuda-e-Taala ko Hazir-o-Nazir Janker iman se iqrar Karta hun key main Pakistan ka sache dil se wafadar rahunga aur Airports Security Force men imandari aur wafadari se khidmat ka farz baja launga, aur hawa, khushki ya tari ke raste jahan bhi jane ka hukam melega jaonga aur jise mera afsar muqarar kia jaega uskey har hukam ki tamil aur pairwi karunga, khah us men jan ka khatra ho.

SECOND SCHEDULE

[*See* section 4 (4)]

CERTIFICATE

Mr. ………………… has been appointed as officer|member of the Airports Security Force under the Airports Security Force Act, 1975 (…………… of 1975), and is vested with the powers, functions and privileges of an officer|member of the Force.

ACT No. LXXVIII OF 1975

An Act to amend the Banks (Nationalisation) Act, 1974

WHEREAS it is expedient to amend the Banks (Nationalisation) Act, 1974 (XIX of 1974), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Banks (Nationalisation) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Insertion of new section 5A, Act XIX of 1974.**—In the Banks (Nationalisation) Act, 1974 (XIX of 1974), hereinafter referred to as the said Act, after section 5, the following new section shall be inserted, namely:—

> "5A. *Transfer of powers and functions to Provincial Government.*—Notwithstanding anything contained in this Act, the Federal Government may, by notification in the official Gazette, direct that, in respect of the Punjab Provincial Cooperative Bank Ltd., such of the

powers and functions of the Federal Government or the Council under this Act as may be specified in the notification shall be exercised and performed by the Government of the Punjab ".

3. **Amendment of section 11, Act XIX of 1974.**—In the said Act, in section 11, after sub-section (5), the following new sub-section shall be inserted, namely :—

"(5A) Where the Council is satisfied that—

(a) in the public interest ; or

(b) to prevent the affairs of any bank being conducted in a manner detrimental to the interests of the depositors or in a manner prejudicial to the interests of the bank ; or

(c) to secure the proper management of any bank generally,

It is necessary to issue directions to banks generally, or to any bank in particular, it may, from time to time, issue such directions as it deems fit, and the banks, or the bank, as the case may be, shall be bound to comply with such directions. ".

4. **Repeal.**—The Banks (Nationalisation) (Amendment) Ordinance, 1975 (XXIII of 1975), is hereby repealed.

ACT No. LXXIX OF 1975

An Act to provide for the regulation of the functioning of foreign cultural associations

WHEREAS it is expedient to provide for the regulation of the functioning of foreign cultural associations ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Foreign Cultural Associations (Regulation of Functioning) Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act unless there is anything repugnant in the subject or context,—

(a) " foreign cultural association " means an association, by whatever name called, having as its object the promotion of cultural and friendly relations between Pakistan and a foreign country and includes a branch of such association ; and

(b) " prescribed " means prescribed by rules made under section 15.

3. **Formation of foreign cultural associations.**—(1) No foreign cultural association shall be formed with the object of, or engage itself in, propagating any opinion, or acting in any manner, prejudicial to the ideology, integrity, security, constitution or system of Government of Pakistan or Pakistan's relations with any foreign country or contrary to morality or any law for the time being in force.

(2) A foreign cultural association shall have only one head office, but may, with the prior permission in writing of the Federal Government, set up a branch at the principal seat of a Provincial Government.

(3) Every foreign cultural association shall appoint its President with the approval of the Federal Government in the prescribed manner.

(4) No new foreign cultural association shall be set up or shall start functioning unless registered by the Federal Government and such registration may be granted subject to such conditions as the Federal Government may specify.

(5) An existing foreign cultural association shall apply in the prescribed manner for registration within one month of the coming into force of the rules to be made under this Act and the Federal Government may grant registration subject to such conditions as it may specify.

4. **Responsibilities of foreign cultural association.**—(1) Every foreign cultural association shall—

- (a) maintain audited accounts in the prescribed manner ;
- (b) pay all moneys received by it into a separate account kept in its name at a bank which is a scheduled bank within the meaning of the State Bank of Pakistan Act, 1956 (XXXIII of 1956) ;
- (c) submit to the Federal Government such information relating to its accounts and affairs as the Federal Government may from time to time require.

(2) Any officer authorised in this behalf by the Federal Government may at all reasonable times inspect the books of account and other records of a foreign cultural association, the securities, cash and other properties held by the association, and all documents relating thereto.

5. **Dissolution of foreign cultural association.**—(1) No foreign cultural association shall be dissolved otherwise than in accordance with its constitution or with the provisions of sub-sections (2) and (3).

(2) Not less than sixty per cent of the members of a foreign cultural association may make an application to the Federal Government in the prescribed manner for making an order for the dissolution of the association.

(3) If an application is made to it under sub-section (2), or if it has reason to believe that a foreign cultural association has acted or is acting in contravention of its constitution or of the provisions of section 3, the Federal Government may, by order in writing after giving the association an opportunity of being heard, direct that the association shall stand dissolved on and from such date as may be specified in the order.

(4) Where an order of dissolution has been made otherwise than on an application made under sub-section (2), the foreign cultural association to which the order relates or any member thereof aggrieved by the order may apply to the Federal Government for a review of the order ; and the order of the Federal Government passed after giving the applicant an opportunity of being heard shall be final and shall not be questioned, or be permitted to be questioned, by or before any court.

(5) Subject to any order of the Federal Government in review under sub-section (4), the dissolution of a foreign cultural association in pursuance of an order of the Federal Government under sub-section (3) shall be deemed to be a dissolution in accordance with the provisions of the constitution of the association and the affairs of the association shall be wound up in accordance with those provisions.

6. **Consequences of dissolution.**—Where any foreign cultural association is dissolved, the association or any of its members shall not engage itself or himself in any activities other than such as may be necessary for the winding up of its affairs.

7. **Government servant not to become member of a foreign cultural association.**—Without prejudice to the provisions of any law for the time being in force no person in the service of the Federal Government or a Provincial Government shall, without the prior permission in writing of such Government, become a member or office-bearer of any foreign cultural association.

8. **Members not to obtain pecuniary advantage.**—No member of a foreign cultural association shall, by virtue of being such member, obtain any pecuniary advantage for himself or any other person.

9. **Acceptance of foreign assistance.**—No foreign cultural association shall, without the previous permission in writing of the Federal Government accept any assistance or aid, in any form whatever, from the government or any other authority, body or organization of a foreign country or from a national thereof.

10. **Financial assistance by foreign cultural association prohibited.**—No foreign cultural association shall, directly or through any person or in any other manner make any contribution of money or other thing of value, or promise, expressly or impliedly, to make any such contribution in connection with an election to a political office or in connection with any election to the National Assembly, the Senate or a Provincial Assembly of Pakistan.

11. **Destruction, etc. of books and records prohibited.**—No person shall wilfully conceal, destroy, obliterate or mutilate, or attempt to conceal, destroy, obliterate or mutilate, or cause to be concealed, destroyed, obliterated or mutilated, any books or records of any foreign cultural association required to be kept under this Act.

12. **Filing of copies of political propaganda.**—Every foreign cultural association which, and every member of such association who, transmits by post or otherwise any political propaganda for or in the interests of such association in the form of prints or in any other form which is reasonably adapted to being, or which it or he believes will be, or which it or he intends to be disseminated or circulated among two or more persons shall—

(a) conspicuously mark such political propaganda at its beginning with, or preface it by or attach to it, a true and accurate statement, in the language used in such propaganda, setting forth the connection or relationship between the association or, as the case may be, such member and the political propaganda ; and

(b) not later than forty-eight hours after its transmission, file with the Federal Government two copies thereof and a statement, duly signed by a member on behalf of the association or by such member on his own behalf setting forth full information as to the places, times and extent of such transmission.

Explanation.—In this section, "political propaganda" includes any oral, visual, graphic, written, pictorial or other communication or expression by any person which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, convert, induce, or in any other way influence a recipient or any section of the public within Pakistan with reference to the political or public interests, policies or relations of the government of a foreign country or a foreign political party or with reference to the foreign policies of Pakistan or promote in Pakistan racial, parochial, religious or social dissension, or which advocates, advises, instigates or promotes any racial, parochial, social, political or religious disorder, civil riot or other conflict involving the use of force or violence or the overthrow of the Government established by law in Pakistan, by any means involving the use of force or violence.

13. **Penalties and procedure.**—(1) Any person who—

(a) contravenes or does not comply with, any of the provisions of this Act or any rule or order made thereunder ;

(b) is a member or office-bearer of a foreign cultural association formed or functioning in contravention of section 3 ; or

(c) in any report or statement submitted under this Act to the Federal Government or other authority, makes any false statement or false representation ;

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

(2) No court shall take cognizance of an offence under this Act except upon a complaint in writing made by or under the authority of the Federal Government.

14. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

15. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Act.

16. **Delegation of powers.**—The Federal Government may, by order, direct that any power conferred on it by this Act shall, in such circumstances and subject to such conditions, if any, as may be specified in the direction, be exercisable also—

(a) by any officer or authority subordinate to the Federal Government ; or

(b) by any Provincial Government or by any officer or authority subordinate to such Government.

17. **Repeal.**—The Foreign Cultural Associations (Regulation of Functioning) Ordinance, 1975 (XVIII of 1975), is hereby repealed.

ACT No. LXXX OF 1975

An Act further to amend the House Building Finance Corporation Act, 1952

WHEREAS it is expedient further to amend the House Building Finance Corporation Act, 1952 (XVIII of 1952), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the House Building Finance Corporation (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 1, Act XVIII of 1952.**—In the House Building Finance Corporation Act, 1952 (XVIII of 1952), hereinafter referred to as the said Act, in section 1, in sub-section (2), after the word "Pakistan" at the end, the words "and also applies to the business of the Corporation transacted outside Pakistan and to persons conducting such business" shall be added.

3. **Amendment of section 25, Act XVIII of 1952.**—In the said Act, in section 25, for the letters, figures, words and comma "Rs. 40,000 or an amount sufficient to cover the cost of construction covering an area of 5,000 square feet, whichever is less" the words and commas "such amount as the Federal Government may, by notification in the official Gazette, specify" shall be substituted.

4. **Amendment of section 35, Act XVIII of 1952.**—In the said Act, in section 35, in sub-section (3), for the word "two" the word "four" shall be substituted.

ACT No. LXXXI OF 1975

An Act to amend the Companies (Appointment of Legal Advisers) Act, 1974

WHEREAS it is expedient to amend the Companies (Appointment of Legal Advisers) Act, 1974 (X of 1974), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Companies (Appointment of Legal Advisers) (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act X of 1974.**—In the Companies (Appointment of Legal Advisers) Act, 1974 (X of 1974), in section 2, in clause (b), for the words "ten lakh" the words "five lakh" shall be substituted.

3. **Repeal.**—The Companies (Appointment of Legal Advisers) (Amendment) Ordinance, 1975 (XI of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 22nd December, 1975

The following Acts of Parliament received the assent of the President on the 19th December, 1975, are hereby published for general information :—

ACT No. LXXXII OF 1975

An Act to provide for the salaries, allowances and privileges of the Chairman of the Senate and the Speaker of the National Assembly

WHEREAS it is expedient to provide for the salaries, allowances and privileges of the Chairman of the Senate and the Speaker of the National Assembly, and for matters connected therewith ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Chairman and Speaker (Salaries, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1975.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Assembly" means the National Assembly ;

(b) "Chairman" means the Chairman of the Senate as defined in the Constitution when he is not performing the functions of President ;

(c) "family", in relation to the Chairman or the Speaker, means his wife or wives, legitimate children and step children residing with and wholly dependent on him ;

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(d) "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of water, gas and electricity ;

(e) "official business", in relation to the Chairman and the Speaker respectively, means attending the sessions of the Senate, the Assembly and the Joint Sittings of Parliament, and includes such other functions or duties connected with the business of Parliament as may be performed or discharged by the Chairman and the Speaker ;

(f) "official residence" means the house reserved from time to time for use by the Chairman or the Speaker and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence ;

(g) "Speaker" means the Speaker of the Assembly as defined in the Constitution when he is not performing the functions of President ; and

(h) other words and expressions used but not defined in this Act have the same meaning as in the Constitution of the Islamic Republic of Pakistan or in the Fundamental and Supplementary Rules.

3. **Salary.**—There shall be paid to the Chairman and the Speaker a Salary at the rate of four thousand rupees per mensem :

Provided that, if a person who has retired from the service of Pakistan is elected as Chairman or Speaker after the commencement of this Act, his pension shall be held in abeyance and shall not be payable for the period he holds the office of Chairman or Speaker.

4. **Equipment Allowance.**—The Chairman and the Speaker may, on his election as such, draw two thousand rupees as an allowance for equipping himself :

Provided that, during the ten years immediately preceding the said election, he had not drawn an allowance for the same purpose upon election or appointment as Chairman, Deputy Chairman, Speaker, Deputy Speaker, Federal Minister, Governor or Minister of State or to a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) The Chairman and the Speaker shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of the Senate or, as the case may be, the Assembly on taking up office and from the seat of the Senate or the Assembly to his ordinary place of residence on laying down office :—

(a) the actual travelling expenses for himself and his family ;

(b) the cost of transporting personal servants, not exceeding two, by the lowest class of accommodation ; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed or effected within six months of the date of taking up or laying down office, as the case may be.

6. **Sumptuary allowance.**—The Chairman and the Speaker shall receive sumptuary allowance at the rate of one thousand rupees per mensem.

7. **Transport.**—The Chairman and the Speaker shall be entitled to the use of an official car maintained at Government expense.

8. **Official residence.**—(1) The Chairman and the Speaker shall be entitled, without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of its maintenance :

Provided that half of the electricity and gas charges in excess of five hundred rupees per mensem shall be paid by the Chairman or, as the case may be, the Speaker but the same shall be readjusted at the close of each financial year so that the total share payable by the Chairman or the Speaker shall in no case be more than one-half of the excess of such charges over the amount calculated respectively at the rate of six thousand rupees per annum and three thousand rupees per annum.

(2) The official residence shall be furnished by Government at a cost not exceeding thirty thousand rupees.

(3) If at the time a Chairman or a Speaker enters upon his office, an official residence is not provided to him, he shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of one thousand two hundred and fifty rupees per mensem.

(4) Where the Chairman or the Speaker chooses to reside in his own house, he may be paid a monthly sum of one thousand two hundred and fifty rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance :

Provided that no furniture or furnishings shall be provided therein at the cost of Government.

9. **Travelling allowance for journeys within Pakistan.**—(1) Subject to the provisions hereinafter appearing, the Chairman and the Speaker when travelling on official business shall be treated as a first grade officer.

(2) When travelling on official business by rail, the Chairman and the Speaker shall be entitled—

(a) to requisition at the cost of Government a reserved railway saloon, if available, or a two-berthed or four-berthed first class compartment, including an air-conditioned compartment if available on the train ;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10 ;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment and not more than four personal servants when travelling by a requisitioned railway saloon ;

(d) to the cost of transporting personal luggage not exceeding three maunds when travelling by a railway compartment and not exceeding six maunds when travelling by a requisitioned railway saloon ; and

(e) to take with him, without payment of fare, the members of his family, not exceeding four, when travelling in a requisitioned railway compartment or a saloon.

(3) When travelling on official business by steamer or launch, the Chairman and the Speaker shall be entitled—

(a) to draw the actual fare paid for himself;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and twenty-five rupees for a lesser period in addition to the daily allowance admissible under section 10;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation; and

(d) to the cost of transporting personal luggage not exceeding three maunds.

(4) The Chairman or the Speaker may, if the public interest so demands, travel by air, in which case he shall be entitled—

(a) to the actual air fare paid for himself;

(b) to the cost of transporting personal luggage not exceeding one hundred pounds inclusive of the free allowance given by the air company;

(c) to requisition at the cost of Government, if he considers it necessary in the public interest, an aeroplane or a helicopter belonging to the Pakistan Air Force or a Provincial Government, subject to availability and in accordance with the rules framed by the relevant authority, or an aeroplane belonging to any flying club in Pakistan;

(d) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane, provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence;

(e) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer;

(f) to the carriage of personal luggage by rail or steamer, subject to a maximum of three maunds; and

(g) to take with him by air one personal servant or a peon in lieu of the entitlement in clauses (e) and (f).

(5) The Chairman and the Speaker shall be entitled, for a journey performed on official business by road beyond a radius of five miles from his headquarters, to a mileage allowance of one rupee per mile if a public conveyance is used or seventy-five paisa per mile if a private car is used, and in any other case to an allowance at the rate of fifty rupees per day:

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of—

(a) a journey or that part of a journey which has to be undertaken by road in the public interest or in the absence of railway communication; and

(b) a short journey which cannot conveniently be undertaken by rail and which involves an absence from headquarters for more than eight consecutive hours.

(6) In respect of a journey performed on official business by road beyond a radius of five miles from his headquarters, the Chairman and the Speaker shall be entitled to receive the actual cost of transporting—

(a) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Chairman or the Speaker travelled ; and

(b) up to a maximum of three maunds of personal luggage :

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

10. **Daily allowance during halt.**—(1) The Chairman and the Speaker, while on tour on official business, shall be entitled to receive a daily allowance of fifty rupees for each day of halt except that, when he stays in a reserved railway saloon, the allowance shall be twenty-five rupees per day.

(2) The allowance mentioned in sub-section (1) shall be admissible—

(a) at half of the full rate for the day of arrival at, and departure from, the place of halt, but no daily allowance shall be admissible in respect of a place of halt from which the Chairman or the Speaker departs on the same day on which he arrived at it ; and

(b) except as provided in clause (a), at the full rate for the first ten days of each continuous halt, at three-fourths of the full rate for the next twenty days and at half of the full rate thereafter.

11. **Halt on tour.**—A halt on tour shall be treated as continuous halt unless terminated by an absence at a distance from the halting place exceeding five miles for a period which includes not less than seven successive nights.

12. **Travelling allowance for journeys abroad.**—The Chairman and the Speaker when travelling on official business outside Pakistan shall be entitled to such travelling allowance as may be prescribed by Government from time to time.

13. **Medical facilities.**—The Chairman and the Speaker and his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that he and his family shall be entitled to receive medical treatment at his official residence.

14. **Provident Fund.**—(1) The Chairman and the Speaker may, at his option, become a subscriber to the General Provident Fund ; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

(2) A temporary advance may be granted to a Chairman or a Speaker from the amount standing to his credit in the General Provident Fund at the discretion of the Government for the purpose for which such advance may be granted to a subscriber under the said Rules.

(3) The grant of temporary advance under sub-section (2) shall, unless the Government otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

15. **Personal staff.**—The Chairman and the Speaker shall be entitled to such personal staff as may be prescribed by Government.

16. **Compensation in case of air accidents.**—(1) If the Chairman or the Speaker, while travelling by air on official duty, by any flight, scheduled or unscheduled including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of one lakh and fifty thousand rupees in the case of death and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the Chairman or, as the case may be, the Speaker, and, in the case of death, to such member or members of his family, or, if there be no such member, such other person or persons, as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, revoked or altered by a notice in writing signed by the Chairman or, as the case may be, the Speaker and addressed to the Accountant General, Pakistan Revenues.

17. **Leave.**—(1) The President may grant to the Chairman and the Speaker during his term of office, at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding in the aggregate three months.

(2) The Chairman and the Speaker shall be entitled to receive leave salary of four thousand rupees per mensem.

18. **Additional privileges.**—The Federal Government may grant to the Chairman and the Speaker such additional privileges as it may deem fit.

19. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Act.

20. **Repeal.**—The Speaker's Remuneration and Privileges Ordinance, 1965 (V of 1965), the Speaker's Allowances and Privileges Order, 1970 (P.O. No. 23 of 1970), and the Chairman and Deputy Chairman of Senate (Salaries, Allowances and Privileges) Order, 1973 (P.O. No. 17 of 1973), in so far as it relates to the Chairman, and the Chairman and Speaker (Salaries, Allowances and Privileges) Ordinance, 1975 (IX of 1975) are hereby repealed.

ACT No. LXXXIII OF 1975

An Act to provide for the salaries, allowances and privileges of the Deputy Chairman of the Senate and the Deputy Speaker of the National Assembly

WHEREAS it is expedient to provide for the salaries, allowances and privileges of the Deputy Chairman of the Senate and the Deputy Speaker of the National Assembly, and for matters connected therewith;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Deputy Chairman and Deputy Speaker (Salaries, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1975.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) " Assembly " means the National Assembly ;

(b) " Deputy Chairman " means the Deputy Chairman of the Senate as defined in the Constitution when he is not acting as Chairman ;

(c) " Deputy Speaker " means the Deputy Speaker of the Assembly as defined in the Constitution when he is not acting as Speaker ;

(d) " family ", in relation to the Deputy Chairman or the Deputy Speaker, means his wife or wives, legitimate children and step children residing with and wholly dependent on him ;

(e) "maintenance " in relation to a residence includes the payment of local rates and taxes and the provision of water, gas and electricity ;

(f) " official business ", in relation to the Deputy Chairman and the Deputy Speaker respectively, means attending the sessions of the Senate, the Assembly and the Joint Sittings of Parliament, and includes such other functions or duties connected with the business of Parliament as may be performed or discharged by the Deputy Chairman and the Deputy Speaker ;

(g) " official residence " means the house reserved from time to time for use by the Deputy Chairman or the Deputy Speaker and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence ;

(h) other words and expressions used but not defined in this Act have the same meaning as in the Constitution of the Islamic Republic of Pakistan or in the Fundamental and Supplementary Rules.

3. **Salary.**—There shall be paid to the Deputy Chairman and the Deputy Speaker a salary at the rate of three thousand rupees per mensem :

Provided that, if a person who has retired from the service of Pakistan is elected as Deputy Chairman or Deputy Speaker after the commencement of this Act, his pension shall be held in abeyance and shall not be payable for the period he holds the office of Deputy Chairman or Deputy Speaker.

4. **Equipment Allowance.**—The Deputy Chairman and the Deputy Speaker may, on his election as such, draw one thousand and five hundred rupees as an allowance for equipping himself :

Provided that, during the ten years immediately preceding the said election, he had not drawn an allowance for the same purpose upon election or appointment as Chairman, Deputy Chairman, Speaker, Deputy Speaker, Federal Minister, Governor or Minister of State or to a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) The Deputy Chairman and a Deputy Speaker shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of the Senate or, as the case may be, the Assembly on taking up office and from the

seat of the Senate or the Assembly to his ordinary place of residence on laying down office :—

(a) the actual travelling expenses for himself and his family ;

(b) the cost of transporting personal servants, not exceeding two, by the lowest class of accommodation ; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed or effected within six months of the date of taking up or laying down office, as the case may be.

6. **Sumptuary allowance.**—The Deputy Chairman and the Deputy Speaker shall receive sumptuary allowance at the rate of six hundred rupees per mensem.

7. **Transport.**—The Deputy Chairman and the Deputy Speaker shall be entitled to the use of an official car maintained at Government expense.

8. **Official residence.**—The Deputy Chairman and the Deputy Speaker shall be entitled without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of its maintenance :

Provided that half of the electricity and gas charges in excess of two hundred and fifty rupees per mensem shall be paid by the Deputy Chairman or, as the case may be, the Deputy Speaker but the same shall be readjusted at the close of each financial year so that the total share payable by the Deputy Chairman or the Deputy Speaker shall in no case be more than one-half of the excess of such charges over the amount calculated respectively at the rate of six thousand rupees per annum and three thousand rupees per annum.

(2) The official residence shall be furnished by Government at a cost not exceeding twenty thousand rupees.

(3) If, at the time a Deputy Chairman or a Deputy Speaker enters upon his office an official residence is not provided to him, he shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of one thousand rupees per mensem.

(4) Where the Deputy Chairman or the Deputy Speaker chooses to reside in his own house, he may be paid a monthly sum of one thousand rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance :

Provided that no furniture or furnishings shall be provided therein at the cost of Government.

9. **Travelling allowance for journeys within Pakistan.**—(1) Subject to the provisions hereinafter appearing, the Deputy Chairman and the Deputy Speaker when travelling on official business shall be treated as first grade officer.

(2) When travelling on official business by rail, the Deputy Chairman and the Deputy Speaker shall be entitled—

(a) to requisition at the cost of Government a coupe or four-berthed first class compartment ; including an air-conditioned compartment if available on the train ;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment;

(d) to the cost of transporting personal luggage not exceeding three maunds when travelling by a railway compartment; and

(e) to take with him, without payment of fare, the members of his family, not exceeding four, when travelling in a requisitioned railway compartment.

(3) When travelling on official business by steamer or launch, the Deputy Chairman and the Deputy Speaker shall be entitled—

(a) to draw the actual fare paid for himself;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation; and

(d) to the cost of transporting personal luggage not exceeding three maunds.

(4) The Deputy Chairman or Deputy Speaker may, if the public interest so demands, travel by air, in which case he shall be entitled—

(a) to the actual air fare paid for himself;

(b) to the cost of transporting personal luggage not exceeding one hundred pounds inclusive of the free allowance given by the air company;

(c) to requisition at the cost of Government, if he considers it necessary in the public interest, an aeroplane or a helicopter belonging to the Pakistan Air Force or a Provincial Government, subject to availability and in accordance with the rules framed by the relevant authority, or an aeroplane belonging to any flying club in Pakistan;

(d) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane, provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence;

(e) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer;

(f) to the carriage of personal luggage by rail or steamer, subject to a maximum of three maunds; and

(g) to take with him by air one personal servant or a peon in lieu of the entitlement in clauses (e) and (f).

(5) The Deputy Chairman and the Deputy Speaker shall be entitled, for a journey performed on official business by road beyond a radius of five miles from his headquarters, to a mileage allowance of one rupee per mile if a public conveyance is used or seventy-five paisa per mile if a private car is used, and in any other case to an allowance at the rate of fifty rupees per day :

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of—

(a) a journey or that part of a journey which has to be undertaken by road in the public interest or in the absence of railway communication ; and

(b) a short journey which cannot conveniently be undertaken by rail and which involves an absence from headquarters for more than eight consecutive hours.

(6) In respect of a journey performed on official business by road beyond a radius of five miles from his headquarters, the Deputy Chairman and the Deputy Speaker shall be entitled to receive the actual cost of transporting—

(a) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Deputy Chairman or the Deputy Speaker travelled ; and

(b) up to a maximum of three maunds of personal luggage :

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

10. **Daily allowance during halt.**—(1) The Deputy Chairman and the Deputy Speaker, while on tour on official business, shall be entitled to receive a daily allowance of fifty rupees for each day of halt except that, when he stays in a reserved railway saloon, the allowance shall be twenty-five rupees per day.

(2) The allowance mentioned in sub-section (1) shall be admissible—

(a) at half of the full rate for the day of arrival at, and departure from, the place of halt, but no daily allowance shall be admissible in respect of a place of halt from which the Deputy Chairman or the Deputy Speaker departs on the same day on which he arrived at it ; and

(b) except as provided in clause (a), at the full rate for the first ten days of each continuous halt at three-fourth of the full rate for the next twenty days and at halt of the full rate thereafter.

11. **Halt on tour.**—A halt on tour shall be treated as continuous halt unless terminated by an absence at a distance from the halting place exceeding five miles for a period which includes not less than seven successive nights.

12. **Travelling allowance for journeys abroad.**—The Deputy Chairman and the Deputy Speaker when travelling on official business outside Pakistan shall be entitled to such travelling allowance as may be prescribed by Government from time to time.

13. **Medical facilities.**—The Deputy Chairman and the Deputy Speaker and his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that he and his family shall be entitled to receive medical treatment at his official residence.

14. **Provident Fund.**—The Deputy Chairman and the Deputy Speaker may, at his option, become a subscriber to the General Provident Fund; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

(2) A temporary advance may be granted to the Deputy Chairman or the Deputy Speaker from the amount standing to his credit in the General Provident Fund at the discretion of the Government for the purpose for which such advance may be granted to subscriber under the said Rules.

(3) The grant of temporary advance under sub-section (2) shall, unless the Government otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

15. **Personal staff.**—The Deputy Chairman and the Deputy Speaker shall be entitled to such personal staff as may be prescribed by Government.

16. **Compensation in case of air accidents.**—(1) If the Deputy Chairman or the Deputy Speaker, while travelling by air on official duty by any flight, scheduled or unscheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of one lakh and fifty thousand rupees in the case of death and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the Deputy Chairman or, as the case may be, the Deputy Speaker, and, in the case of death, to such member or members of his family, or, if there be no such member, such other person or persons, as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, revoked or altered by a notice in writing signed by the Deputy Chairman or, as the case may be, the Deputy Speaker and addressed to the Accountant General, Pakistan Revenues.

17. **Leave.**—(1) The President may grant to the Deputy Chairman and the Deputy Speaker during his term of office, at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding in the aggregate three months.

(2) The Deputy Chairman and the Deputy Speaker shall be entitled to receive leave salary of three thousand rupees per mensem.

18. **Additional privileges.**—The Federal Government may grant to the Deputy Chairman and the Deputy Speaker such additional privileges as it may deem fit.

19. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Act.

20. **Repeal.**—The Deputy Speaker's (Remuneration and Privileges) Act, 1966 (VI of 1966), the Deputy Speaker's Allowances and Privileges Order, 1970 (P. O. No. 25 of 1970), and the Chairman and Deputy Chairman of Senate (Salaries, Allowances and Privileges) Order, 1973 (P. O. No. 17 of 1973), in so far as it relates to the Deputy Chairman, and the Deputy Chairman and Deputy Speaker (Salaries, Allowances and Privileges) Ordinance, 1975 (X of 1975), are hereby repealed.

ACT No. LXXXIV OF 1975

An Act further to amend the West Pakistan Water and Power Development Authority Act, 1958

WHEREAS it is expedient further to amend the West Pakistan Water and Power Development Authority Act, 1958 (West Pakistan Act No. XXXI of 1958), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the West Pakistan Water and Power Development Authority (Amendment) Act, 1975.

(2) It shall come into force at once.

2. **Amendment of section 17, W.P. Act No. XXXI of 1958.**—In the West Pakistan Water and Power Development Authority Act, 1958 (West Pakistan Act No. XXXI of 1958), in section 17, after sub-section (1), the following new sub-sections shall be inserted, namely :—

"(1A) Notwithstanding anything contained in sub-sectio[illegible]) or any rules made, or orders or instructions issued, by the Authority, or in the terms and conditions of service of any person employed by, or serving under the Authority, the Authority may, at any time, retire or remove from its service any person without assigning any reason, after giving him not less than thirty days' notice or pay for the period by which such notice falls short of thirty days.

(1B) Service under the Authority is hereby declared to be service of Pakistan and every person holding a post under the Authority, not being a person who is on deputation to the Authority from any Province, shall be deemed to be a civil servant for the purposes of the Service Tribunals Act, 1973 (LXX of 1973).".

3. **Repeal.**—The West Pakistan Water and Power Development Authority (Amendment) Ordinance, 1975 (XVI of 1975), is hereby repealed.

M. A. HAQ,
Secretary.

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ISLAMABAD, WEDNESDAY, JANUARY 15, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 15th January, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 15th January, 1975, is hereby published for general information :—

ORDINANCE No. I OF 1975

AN

ORDINANCE

further to amend the State Bank of Pakistan Act, 1956

WHEREAS it is expedient further to amend the State Bank of Pakistan Act, 1956 (XXXIII of 1956), for the purpose hereinafter appearing;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the State Bank of Pakistan (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Amendment of section 17, Act XXXIII of 1956.**—In the State Bank of Pakistan Act, 1956 (XXXIII of 1956), in section 17, in clause (16), in sub-clause (a), the words "for a period not exceeding three months" shall be omitted.

Countersigned by :

FAZAL ELAHI CHAUDHRY,
President.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAULHAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 7th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 3rd May, 1975 is hereby published for general information:—

ORDINANCE No. II OF 1975

AN

ORDINANCE

further to amend the Employees' Cost of Living (Relief) Act, 1973

WHEREAS it is expedient further to amend the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), for the purposes hereinafter appearing;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title and commencement.**—(1) This Ordinance may be called the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act I of 1974.**—In the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), hereinafter referred to as the said Act, in section 2, in clause (b), the words and commas "a person employed on wages equal to, or exceeding, seven hundred and thirty-five rupees per month, or" shall be omitted.

Price : Ps. 6

[2255 Ex. Gaz.]

3. Amendment of section 3, Act I of 1974.—In the said Act, in section 3,—

(a) in sub-section (2),—

(i) after the word "employee", the words "whose wages do not exceed one thousand and one hundred rupees" shall be inserted; and

(ii) in clause (b), after the word "rupees" occurring for the second time, the words "but are less than one thousand and one hundred rupees" shall be inserted; and

(b) after sub-section (2) amended as aforesaid, the following new sub-section (3) shall be added, namely :—

"(3) In addition to the cost of living allowance admissible under sub-section (1) or, as the case may be, sub-section (2), if any, every employee shall in respect of his employment, on or after the seventh day of April, 1975, whether on time-work or piece-work basis, be paid by his employer a cost of living allowance equal to twenty-five rupees per month.".

4. Amendment of section 5, Act I of 1974.—In the said Act, in section 5, in the proviso,—

(a) after the figures and comma "1974,", occurring for the second time, the words, brackets, figures and commas "or under sub-section (3) of that section for any period commencing on or after the seventh day of April, 1975, but preceding the commencement of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975," shall be inserted;

(b) in clause (a), the word "and" at the end shall be omitted;

(c) in clause (b), for the full stop at the end the semi-colon and word "; and" shall be substituted; and

(d) after clause (b) amended as aforesaid, the following new clause shall be added, namely :—

"(c) in the case of the cost of living allowance payable under sub-section (3) of that section, of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975.".

5. Amendment of section 8, Act I of 1974.—In the said Act, in section 8,

(a) in clause (b), after the comma at the end, the word "or" shall be added; and

(b) after clause (b) amended as aforesaid, the following new clause shall be inserted, namely :—

"(c) in the case of the cost of living allowance payable under sub-section (3) of section 3, immediately before the commencement of the Employees' Cost of Living (Relief) (Amendment) Ordinance, 1975,".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 8th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 5th May, 1975 is hereby published for general information :—

ORDINANCE No. III OF 1975

AN

ORDINANCE

further to amend the Companies (Managing Agency and Election of Directors) Order, 1972

WHEREAS it is expedient further to amend the Companies (Managing Agency and Election of Directors) Order, 1972 (P. O. No. 2 of 1972), for the purpose hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

Price : Rs. 13

[2259 Ex. Gaz.]

1. Short title and commencement.—(1) This Ordinance may be called the Companies (Managing Agency and Election of Directors) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. Amendment of Article 15A, P.O. No. 2 of 1972.—In the Companies (Managing Agency and Election of Directors) Order, 1972 (P. O. No. 2 of 1972), Article 15A shall be re-numbered as clause (1) of that Article and, after clause (1) re-numbered as aforesaid, the following new clause shall be added, namely :—

> "(2) A notification under clause (1) may be issued so as to be effective from any date not preceding the commencement of this Order and shall have the effect of reviving the agreement or contract to which it relates as from the day specified therein.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

Islamabad, the 8th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 5th May, 1975 is hereby published for general information :—

ORDINANCE No. IV OF 1975

AN

ORDINANCE

to amend the National Guards Act, 1973

WHEREAS it is expedient to amend the National Guards Act, 1973 (LXI of 1973), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. Short title and commencement.—(1) This Ordinance may be called the National Guards (Amendment) Ordinance, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the twelfth day of August, 1973.

2. **Amendment of section 1, Act LXI of 1973.**—In the National Guards Act, 1973 (LXI of 1973), hereinafter referred to as the said Act, in section 1, for sub-section (3) the following shall be substituted, namely :—

> "(3) It shall come into force at once.".

3. **Substitution of section 28, Act LXI of 1973.**—In the said Act, for section 28 the following shall be substituted, namely :—

> "28. *Training.*—Such training, including yearly camps, shall be imparted to the college students and members of the college staff selected for training as may be laid down by the prescribed officer from time to time.".

4. **Amendment of section 29, Act LXI of 1973.**—In the said Act, in section 29,—

(a) for the words and comma "On successful completion of training, a person" the words and commas "A person who has either successfully completed the training or, having successfully completed not less than fifty per cent of the total training periods, is still undergoing training" shall be substituted ; and

(b) for clause (c) the following shall be substituted, namely :—

> "(c) shall, for the purpose of admission to any institution of advanced studies, be awarded twenty marks in addition to the marks obtained by him in the examination held for the purpose of such admission or, if no such examination is held, in the examination on the basis of having qualified in which he seeks such admission.".

5. **Substitution of section 33, Act LXI of 1973.**—In the said Act, for section 33 the following shall be substituted, namely :—

> "33. *Training.*—Such training, including yearly camps, shall be imparted to the women selected for training as may be laid down by the prescribed officer from time to time.".

6. **Amendment of section 35, Act LXI of 1973.**—In the said Act, in section 35,—

(a) for the words and comma "On successful completion of training, a person" the words and commas "A person who has either successfully completed the training or, having successfully completed not less than fifty per cent of the total training periods, is still undergoing training' shall be substituted ; and

(b) for clause (c) the following shall be substituted, namely :—

> "(c) she shall, for the purpose of admission to any institution of advanced studies, be awarded twenty marks in addition to the marks obtained by her in the examination held for the purpose of such admission or, if no such examination is held, in the examination on the basis of having qualified in which she seeks such admission.".

7. **Amendment of section 40, Act LXI of 1973.**—In the said Act, in section 40,—

(a) the word and comma "training," shall be omitted ; and

(b) after the word "Act" at the end, the words "and for the training of persons enrolled" shall be added.

8. **Insertion of new section 40A, Act LXI of 1973.**—In the said Act, after section 40 amended as aforesaid, the following new section shall be inserted, namely :—

"40A. *Rules and regulations to have retrospective effect.*—Any rule or regulation made before the enactment of the National Guards (Amendment) Act, 1975, shall be deemed to have been validly made and taken effect on the twelfth day of August, 1973 ; and any rule or regulation made within thirty days of such enactment may be made so as to have retrospective effect from any day not earlier than that day.".

9. **Validation.**—Notwithstanding any judgement of any court, any training or certificate provided for in the National Guards Act, 1973 (LXI of 1973), which may have been imparted or granted before the promulgation of this Ordinance shall be deemed to have been validly imparted or granted under the said Act as if this Ordinance were in force at the time when such training or certificate was imparted or granted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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ISLAMABAD, FRIDAY, MAY 16, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 16th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 13th May, 1975 is hereby published for general information :—

ORDINANCE No. V OF 1975

AN

ORDINANCE

further to amend the Banking Companies Ordinance, 1962

WHEREAS it is expedient further to amend the Banking Companies Ordinance, 1962 (LVII of 1962), for the purpose hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Banking Companies (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Price : Ps. 13

2. Amendment of section 8, Act LVII of 1962.—In the Banking Companies Ordinance, 1962 (LVII of 1962), in section 8, for the full stop at the end of the proviso a colon shall be substituted and thereafter the following new proviso shall be added, namely :—

> " Provided further that the Federal Government may, subject to such conditions, if any, as it may deem fit, by notification in the official Gazette, authorise a company wholly or partly owned or controlled by it, not being a banking company, to use in its name the word ' bank ' or any of its derivatives. ".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

Islamabad, the 16th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 13th May, 1975 is hereby published for general information :—

ORDINANCE No. VI OF 1975

AN

ORDINANCE

further to amend the Insurance Act, 1938

WHEREAS it is expedient further to amend the Insurance Act, 1938 (IV of 1938), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. Short title and commencement.—(1) This Ordinance may be called the Insurance (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **General amendment, Act IV of 1938.**—In the Insurance Act, 1938 (IV of 1938), hereinafter referred to as the said Act, for the words "Central Government", wherever occurring, the words "Federal Government" shall be substituted.

3. **Amendment of section 29, Act IV of 1938.**—In the said Act, in section 29, in sub-section (8),—

(a) in clause (c),—

(i) for sub-clause (iii) the following shall be substituted, namely :—

"(iii) the loan does not exceed such amount as may be prescribed and is subject to such conditions, including conditions as to interest and the time allowed for its payment, as may be prescribed ;" ; and

(ii) after sub-clause (iii) substituted as aforesaid, the following new sub-clause shall be added, namely :—

"(iv) the aggregate of such loans in respect of the life insurance business of the insurer does not exceed such amount as may be prescribed ;" ; and

(b) in clause (d),—

(i) in the proviso, after the word "insurer", the words "other than the State Life Insurance Corporation of Pakistan" shall be inserted and for the full stop at the end a colon shall be substituted ; and

(ii) after the proviso amended as aforesaid, the following further proviso shall be added, namely :—

"Provided further that, in respect of the life insurance business of an insurer, the total amount outstanding in respect of temporary advances made on or after the 1st January, 1975, shall not exceed at any time one-tenth of one per cent of the life insurance fund in the case of employees on the one hand and one-tenth of one per cent of the life insurance fund in the case of insurance agents and employers of agents on the other.".

4. **Amendment of section 40A, Act IV of 1938.**—In the said Act, in section 40A,—

(a) in sub-section (1), in the proviso,—

(i) in clause (c), after the semi-colon at the end, the word "and" shall be added ;

(ii) for clauses (d), (e) and (f) the following shall be substituted, namely :—

"(d) the proportion of business not lapsing out of the business procured by the agent to the business so procured." ; and

(b) in sub-section (3A), in the proviso, for clauses (d), (e), (f), (g) and (h) the following shall be substituted, namely :—

"(d) the proportion of business not lapsing out of the business procured by the employer of agents to the business so procured ; and

(e) the number of employers of agents intervening between the insurer and the insurance agents.".

5. **Amendment of section 42A, Act IV of 1938.**—In the said Act, in section 42A, in sub-section (5), in clause (iv), after the brackets and figure "(iv)", the words and comma "except in such circumstances as may be prescribed," shall be inserted.

6. **Amendment of section 114, Act IV of 1938.**—In the said Act, in section 114, after sub-section (1), the following new sub-section shall be inserted, namely :—

"(1A) Such rules made within three months of the commencement of the Insurance (Amendment) Ordinance, 1975, to prescribe the matters to be prescribed for the purposes of section 40A may be made so as to have effect from any day not earlier than the first day of December, 1974.".

7. **Amendment or section 120B, Act IV of 1938.**—In the said Act, in section 120B, for the words "East Pakistan and in any other" the word "any" shall be substituted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 19th May, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 13th May, 1975 is hereby published for general information :—

ORDINANCE No. VII OF 1975

AN

ORDINANCE

to amend the Newspaper Employees (Conditions of Service) Act, 1973

WHEREAS it is expedient to amend the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Newspaper Employees (Conditions of Service) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act LVIII of 1973.**—In the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), hereinafter referred to as the said Act, in section 2, after clause (g), the following new clause shall be inserted, namely :—

"(gg) 'Tribunal' means a Tribunal constituted under section 12A ;".

Price : Ps. 6

[2367 Ex. Gaz.]

3. Insertion of new section 12A, Act LVIII of 1973.—In the said Act, after section 12, the following new section 12A shall be inserted, namely :—

"12A. *Tribunal.*—(1) The Federal Government may, by notification in the official Gazette, constitute a Tribunal consisting of one member to implement the decision of the Board under section 11.

(2) The member of the Tribunal shall be a person who is or has been or is qualified to be a Judge of a High Court and shall be appointed on such terms and conditions as the Federal Government may determine.".

4. Amendment of section 13, Act LVIII of 1973.—In the said Act, in section 13,—

(a) in sub-section (1), for the word "Commission" the word "Tribunal" shall be substituted;

(b) in sub-section (3),—

(i) for the word "Commission" the word "Tribunal" shall be substituted; and

(ii) for the word "it" the words "the Commission" shall be substituted; and

(c) after sub-section (3), the following new sub-section shall be added, namely :—

"(3A) The Tribunal shall have the power to issue a direction which a Labour Court has under sub-section (1) of section 51 of the Ordinance.".

5. Insertion of section 13A, Act LVIII of 1973.—In the said Act, after section 13 amended as aforesaid, the following new section shall be inserted, namely :—

"13A. *Appeal from sentence of Tribunal.*—Any person convicted and sentenced by the Tribunal under sub-section (1) to imprisonment for any period not less than six months may, with the leave of the Supreme Court, prefer an appeal to that Court".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, Presidents' Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 27th August, 1975

No. F. 24 (1)|75.—The following Ordinance made by the President on the 25th August, 1975, is hereby published for general information :—

ORDINANCE No. VIII OF 1975

AN

ORDINANCE

further to amend the Life Insurance (Nationalisation) Order, 1972

WHEREAS it is expedient further to amend the Life Insurance (Nationalisation) Order, 1972, for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Life Insurance (Nationalisation) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Price Ps : 6

[4321 Ex. Gaz].

2. **Amendment of Article 22, P. O. No. 10 of 1972.**—In the Life Insurance (Nationalisation) Order, 1972 (P. O. No. 10 of 1972), hereinafter referred to as the said Order, in Article 22, in clause (1), after sub-clause (f), the following new sub-clause (g) shall be added and shall be deemed always to have been so added, namely :—

"(g) acted, or omitted to act, in violation of any provision of the Act and has thereby caused a loss to, or imposed a liability on, the insurer.".

3. **Amendment of Article 40, P. O. No. 10 of 1972.**—In the said Order, in Article 40, in clause (3),—

(a) after the word and comma "assets,", the words and commas "or that loss has been caused to the insurer by reason of its having acted, or omitted to act, in violation of the provisions of the Act," shall be inserted ; and

(b) after the word "difference", twice occurring, the words "or loss" shall be inserted.

4. **Insertion of new Article 40B, P. O. No. 10 of 1972.**—In the said Order, after Article 40A, the following new Article 40B shall be inserted, namely :—

"40B. *Certain amounts recoverable as an arrear of land revenue.*—Notwithstanding anything contained in this Order or in any other law for the time being in force and without prejudice to the right of the Corporation to recover its dues in any other manner, any dues of the Corporation determined by the Tribunal, or payable under a decree of any court, shall be recoverable as an arrear of land revenue.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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ISLAMABAD, THURSDAY, AUGUST 28, 1975

PART I

Acts, Ordinances Presidents' Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 28th August, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 25th August, 1975, is hereby published for general information :—

ORDINANCE No. IX OF 1975

AN

ORDINANCE

to provide for the salaries, allowances and privileges of the Chairman of the Senate and the Speaker of the National Assembly.

WHEREAS it is expedient to provide for the salaries, allowances and privileges of the Chairman of the Senate and the Speaker of the National Assembly, and for matters connected therewith ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Chairman and Speaker (Salaries, Allowances and Privileges) Ordinance, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1975.

Price : Ps. 25

[4340 Ex. Gaz.]

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) "Assembly" means the National Assembly;

(b) "Chairman" means the Chairman of the Senate when he is not performing the functions of President;

(c) "family", in relation to the Chairman or the Speaker, means his wife or wives, legitimate children and step children residing with and wholly dependent on him;

(d) "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of water, gas and electricity;

(e) "official business", in relation to the Chairman and the Speaker respectively, means attending the sessions of the Senate, the Assembly and the Joint Sittings of Parliament, and includes such other functions or duties connected with the business of Parliament as may be performed or discharged by the Chairman and the Speaker;

(f) "official residence" means the house reserved from time to time for use by a Chairman or a Speaker and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence;

(g) "Speaker" means the Speaker of the Assembly when he is not performing the functions of President; and

(h) other words and expressions used but not defined in this Ordinance have the same meaning as in the Constitution of the Islamic Republic of Pakistan or in the Fundamental and Supplementary Rules.

3. **Salary.**—There shall be paid to the Chairman and the Speaker a Salary at the rate of four thousand rupees per mensem:

Provided that, if a person who has retired from the service of Pakistan is elected as Chairman or Speaker after the commencement of this Ordinance, his pension shall be held in abeyance and shall not be payable for the period he holds the office of Chairman or Speaker.

4. **Equipment Allowance.**—A Chairman and a Speaker may, on his election as such, draw two thousand rupees as an allowance for equipping himself:

Provided that, during the ten years immediately preceding the said election, he had not drawn an allowance for the same purpose upon election or appointment as Chairman, Deputy Chairman, Speaker, Deputy Speaker, Federal Minister, Governor or Minister of State or to a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) A Chairman and a Speaker shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of the Senate or, as the case may be, the Assembly on taking up office and from the seat of the Senate or the Assembly to his ordinary place of residence on laying down office:—

(a) the actual travelling expenses for himself and his family;

(b) the cost of transporting personal servants, not exceeding two, by the lowest class of accommodation; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed or effected within six months of the date of taking up or laying down office, as the case may be.

6. **Sumptuary allowance.**—A Chairman and a Speaker shall receive sumptuary allowance at the rate of one thousand rupees per mensem.

7. **Transport.**—A Chairman and a Speaker shall be entitled to the use of an official car maintained at Government expense.

8. **Official residence.**—(1) A Chairman and a Speaker shall be entitled, without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of its maintenance:

Provided that half of the electricity and gas charges in excess of five hundred rupees per mensem shall be paid by the Chairman or, as the case may be, the Speaker but the same shall be readjusted at the close of each financial year so that the total share payable by the Chairman or the Speaker shall in no case be more than one-half of the excess of such charges over the amount calculated respectively at the rate of six thousand rupees per annum and three thousand rupees per annum.

(2) The official residence shall be furnished by Government at a cost not exceeding thirty thousand rupees.

(3) If at the time a Chairman or a Speaker enters upon his office, an official residence is not provided to him, he shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of one thousand two hundred and fifty rupees per mensem.

(4) Where a Chairman or a Speaker chooses to reside in his own house, he may be paid a monthly sum of one thousand two hundred and fifty rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance:

Provided that no furniture or furnishings shall be provided therein at the cost of Government.

9. **Travelling allowance for journeys within Pakistan.**—(1) Subject to the provisions hereinafter appearing, a Chairman and a Speaker when travelling on official duty shall be treated as a first grade officer.

(2) When travelling on official business by rail, a Chairman and a Speaker shall be entitled—

(a) to requisition at the cost of Government a reserved railway saloon, if available, or a two-berthed or four-berthed first class compartment, including an air-conditioned compartment if available on the train;

(b) to draw an allowance of fifty rupees for every twenty-four hours of period of journey, and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment and not more than four personal servants when travelling by a requisitioned railway saloon ;

(d) to the cost of transporting personal luggage not exceeding three maunds when travelling by a railway compartment and not exceeding six maunds when travelling by a requisitioned railway saloon ; and

(e) to take with him, without payment of fare, the members of his family, not exceeding four, when travelling in a requisitioned railway compartment or a saloon.

(3) When travelling on official business by steamer or launch, a Chairman and a Speaker shall be entitled—

(a) to draw the actual fare paid for himself ;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and twenty-five rupees for a lesser period in addition to the daily allowance admissible under section 10 ;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation ; and

(d) to the cost of transporting personal luggage not exceeding three maunds.

(4) A Chairman or a Speaker may, if the public interest so demands, travel by air, in which case he shall be entitled—

(a) to the actual air fare paid for himself :

(b) to the cost of transporting personal luggage not exceeding one hundred pounds inclusive of the free allowance given by the air company ;

(c) to requisition at the cost of Government, if he considers it necessary in the public interest, an aeroplane or a helicopter belonging to the Pakistan Air Force or a Provincial Government, subject to availability and in accordance with the rules framed by the relevant authority, or an aeroplane belonging to any flying club in Pakistan ;

(d) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane, provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence ;

(e) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer ;

(f) to the carriage of personal luggage by rail or steamer, subject to a maximum of three maunds ; and

(g) to take with him by air one personal servant or a peon in lieu of the entitlement in clauses (e) and (f).

(5) A Chairman and a Speaker shall be entitled, for a journey performed on official business by road beyond a radius of five miles from his headquarters,

to a mileage allowance of one rupee per mile if a public conveyance is used or seventy-five paisa per mile if a private car is used, and in any other case to an allowance at the rate of fifty rupees per day :

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of—

(a) a journey or that part of a journey which has to be undertaken by road in the public interest or in the absence of railway communication ; and

(b) a short journey which cannot conveniently be undertaken by rail and which involves an absence from headquarters for more than eight consecutive hours.

(7) In respect of a journey performed on official business by road beyond a radius of five miles from his headquarters, a Chairman and a Speaker shall be entitled to receive the actual cost of transporting—

(a) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Chairman or the Speaker travelled ; and

(b) up to a maximum of three maunds of personal luggage :

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

10. **Daily allowance during halt.**—(1) A Chairman and a Speaker, while on tour on official business, shall be entitled to receive a daily allowance of fifty rupees for each day of halt except that, when he stays in a reserved railway saloon, the allowance shall be twenty-five rupees per day.

(2) The allowance mentioned in sub-section (1) shall be admissible—

(a) at half of the full rate for the day of arrival at, and departure from, the place of halt, but no daily allowance shall be admissible in respect of a place of halt from which the Chairman or the Speaker departs on the same day on which he arrived at it ; and

(b) except as provided in clause (a), at the full rate for the first ten days of each continuous halt, at three-fourths of the full rate for the next twenty days and at half of the full rate thereafter.

11. **Halt on tour.**—A halt on tour shall be treated as continuous halt unless terminated by an absence at a distance from the halting place exceeding five miles for a period which includes not less than seven successive nights.

12. **Travelling allowance for journeys abroad.**—A Chairman and a Speaker when travelling on official business outside Pakistan shall be entitled to such travelling allowance as may be prescribed by Government from time to time.

13. **Medical facilities.**—A Chairman and a Speaker and his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that he and his family shall be enittled to receive medical treatment at his official residence.

14. **Provident Fund.**—(1) A Chairman and a Speaker may, at his option, become a subscriber to the General Provident Fund ; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

(2) A temporary advance may be granted to a Chairman or a Speaker from the amount standing to his credit in the General Provident Fund at the discretion of the Government for the purpose for which such advance may be granted to a subscriber under the said Rules.

(3) The grant of temporary advance under sub-section (2) shall, unless the Government otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

15. **Personal staff.**—A Chairman and a Speaker shall be entitled to such personal staff as may be prescribed by Government.

16. **Compensation in case of air accidents.**—(1) If a Chairman or a Speaker, while travelling by air on official duty, by any flight, scheduled or unscheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of one lakh and fifty thousand rupees in the case of death and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the Chairman or, as the case may be, the Speaker, and, in the case of death, to such members or members of his family, or, if there be no such member, such other person or persons, as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, revoked or altered by a notice in writing signed by the Chairman or, as the case may be, the Speaker and addressed to the Accountant General, Pakistan Revenues.

17. **Leave.**—(1) The President may grant to a Chairman and a Speaker during his term of office, at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding in the aggregate three months.

(2) A Chairman and a Speaker shall be entitled to receive leave salary of four thousand rupees per mensem.

18. **Additional privileges.**—The Federal Government may grant to the Chairman and the Speaker such additional privileges as it may deem fit.

19. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Ordinance.

20. **Repeal.**—The Speaker's Remuneration and Privileges Ordinance, 1965 (V of 1965), the Speaker's Allowances and Privileges Order, 1970 (P. O. No. 23 of 1970), and the Chairman and Deputy Chairman of Senate (Salaries, Allowances and Privileges) Order, 1973 (P. O. No. 17 of 1973), in so far as it relates to the Chairman, are hereby repealed.

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 25th August, 1975, is hereby published for general information :—

ORDINANCE No. X OF 1975

AN

ORDINANCE

to provide for the salaries, allowances and privileges of the Deputy Chairman of the Senate and the Deputy Speaker of the National Assembly.

WHEREAS it is expedient to provide for the salaries, allowances and privillages of the Deputy Chairman of the Senate and the Deputy Speaker of the National Assembly, and for matters connected therewith ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Deputy Chairman and Deputy Speaker (Salaries, Allowances and Privileges) Ordinance, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the fourteenth day of August, 1975.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) "Assembly" means the National Assembly ;

(b) "Deputy Chairman" means the Deputy Chairman of the Senate when he is not acting as Chairman ;

(c) "Deputy Speaker" means the Deputy Speaker of the Assembly when he is not acting as Speaker ;

(d) "family", in relation to the Deputy Chairman or the Deputy Speaker, means his wife or wives, legitimate children and step children residing with and wholly dependent on him ;

(e) "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of water, gas and electricity ;

(f) "official business", in relation to the Deputy Chairman and the Deputy Speaker respectively, means attending the sessions of the Senate, the Assembly and the Joint Sittings of Parliament, and includes such other functions or duties connected with the business of Parliament as may be performed or discharged by the Deputy Chairman and the Deputy Speaker ;

(g) "official residence" means the house reserved from time to time for use by a Deputy Chairman or a Deputy Speaker and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence ;

(h) other words and expressions used but not defined in this Ordinance have the same meaning as in the Constitution of the Islamic Republic of Pakistan or in the Fundamental and Supplementary Rules.

3. **Salary.**—There shall be paid to the Deputy Chairman and the Deputy Speaker a salary at the rate of three thousand rupees per mensem :

Provided that, if a person who has retired from the service of Pakistan is elected as Deputy Chairman or Deuuty Speaker after the commencement of this Ordinance, his pension shall be held in abeyance and shall not be payable for the period he holds the office of Deputy Chairman or Deputy Speaker.

4. **Equipment Allowance.**—A Deputy Chairman and a Deputy Speaker may, on his election as such, draw one thousand and five hundred rupees as an allowance for equipping himself :

Provided that, during the ten years immediately preceding the said election, he had not drawn an allowance for the same purpose upon election or appointment as Chairman, Deputy Chairman, Speaker, Deputy Speaker, Federal Minister, Governor or Minister of State or to a diplomatic office.

5. **Allowances on taking up and laying down the office.**—(1) A Deputy Chairman and a Deputy Speaker shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of the Senate or, as the case may be, the Assembly on taking up office and from the seat of the Senate or the Assembly to his ordinary place of residence on laying down office :—

(a) the actual travelling expenses for himself and his family ;

(b) the cost of transporting personal servants, not exceeding two, by the lowest class of accommodation ; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall be lie for any travel or transportation not performed or effected within six months of the date of taking up or laying down office, as the case may be.

6. **Sumptuary allowance.**—A Deputy Chairman and a Deputy Speaker shall receive sumptuary allowance at the rate of six hundred rupees per mensem.

7. **Transport.**—A Deputy Chairman and a Deputy Speaker shall be entitled to the use of an official car maintained at Government expense.

8. **Official residence.**—(1) A Deputy Chairman and a Deputy Speaker shall be entitled, without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of its maintenance :

Provided that half of the electricity and gas charges in excess of two hundred and fifty rupees per mensem shall be paid by the Deputy Chairman or, as the case may be, the Deputy Speaker but the same shall be readjusted at the close of each financial year so that the total share payable by the Deputy Chairman or the Deputy Speaker shall in no case be more than one-half of the excess of such charges over the amount calculated respectively at the rate of six thousand rupees per annum and three thousand rupees per annum.

(2) The official residence shall be furnished by Government at a cost not exceeding twenty thousand rupees.

(3) If, at the time a Deputy Chairman or a Deputy Speaker enters upon his office an official residence is not provided to him, he shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of one thousand rupees per mensem.

(4) Where a Deputy Chairman or a Deputy Speaker chooses to reside in his own house, he may be paid a monthly sum of one thousand rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance :

Provided that no furniture or furnishings shall be provided therein at the cost of Government.

9. **Travelling allowance for journeys within Pakistan.**—(1) Subject to the provisions hereinafter appearing, a Deputy Chairman and a Deputy Speaker when travelling on official duty shall be treated as a first grade officer.

(2) When travelling on official business by rail, a Deputy Chairman and a Deputy Speaker shall be entitled—

(a) to requisition at the cost of Government a coupe or four-berthed first class compartment, including an air-conditioned compartment if available on the train ;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and an allowance of twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10 ;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation when travelling by a two-berthed or four-berthed railway compartment ;

(d) to the cost of transporting personal luggage not exceeding three maunds when travelling by a railway compartment ; and

(e) to take with him, without payment of fare, the members of his family, not exceeding four, when travelling in a requisitioned railway compartment.

(3) When travelling on official business by steamer or launch, a Chairman and a Speaker shall be entitled—

(a) to draw the actual fare paid for himself ;

(b) to draw an allowance of fifty rupees for every twenty-four hours of the period of journey, and twenty-five rupees for a lesser period, in addition to the daily allowance admissible under section 10 ;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation ; and

(d) to the cost of transporting personal luggage not exceeding three maunds.

(4) A Deputy Chairman or Deputy Speaker may, if the public interest so demands, travel by air, in which case he shall be entitled—

(a) to the actual air fare paid for himself ;

(b) to the cost of transporting personal luggage not exceeding one hundred pounds inclusive of the free allowance given by the air company ;

(c) to requisition at the cost of Government, if the considers it necessary in the public interest, an aeroplane or a helicopter belonging to the Pakistan Air Force or a Provincial Government, subject to availability and in accordance with the rules framed by the relevant authority, or an aeroplane belonging to any flying club in Pakistan ;

(d) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane, provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence ;

(e) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer ;

(f) to the carriage of personal luggage by rail or steamer, subject to a maximum of three maunds ; and

(g) to take with him by air one personal servant or a peon in lieu of the entitlement in clauses (e) and (f).

(5) A Deputy Chairman and a Deputy Speaker shall be entitled, for a journey performed on official business by road beyond a radius of five miles from his headquarters, to a mileage allowance of one rupee per mile if a public conveyance is used or seventy-five paisa per mile if a private car is used, and in any other case to an allowance at the rate of fifty rupees per day :

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of—

(a) a journey or that part of a journey which has to be undertaken by road in the public interest or in the absence of railway communication ; and

(b) a short journey which cannot conveniently be undertaken by rail and which involves an absence from headquarters for more than eight consecutive hours.

(7) In respect of a journey performed on official business by road beyond a radius of five miles from his headquarters, a Deputy Chairman and a Deputy Speaker shall be entitled to receive the actual cost of transporting—

(a) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Deputy Chairman or the Deputy Speaker travelled ; and

(b) up to a maximum of three maunds of personal luggage :

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

10. **Daily allowance during halt.**—(1) A Deputy Chairman and a Deputy Speaker, while on tour on official business, shall be entitled to receive a daily allowance of fifty rupees for each day of halt except that, when he stays in a reserved railway saloon, the allowance shall be twenty-five rupees per day.

(2) The allowance mentioned in sub-section (1) shall be admissible—

(a) at half of the full rate for the day of arrival at, and departure from, the place of halt, but no daily allowance shall be admissible in respect of a place of halt from which the Deputy Chairman or the Deputy Speaker departs on the same day on which he arrived at it; and

(b) except as provided in clause (a), at the full rate for the first ten days of each continuous half, at three-fourths of the full rate for the next twenty days and at half of the full rate thereafter.

11. **Halt on tour.**—A halt on tour shall be treated as continuous halt unless terminated by an absence at a distance from the halting place exceeding five miles for a period which includes not less than seven successive nights.

12. **Travelling allowance for journeys abroad.**—A Deputy Chairman and a Deputy Speaker when travelling on official business outside Pakistan shall be entitled to such travelling allowance as may be prescribed by Government from time to time.

13. **Medical facilities.**—A Deputy Chairman and a Deputy Speaker and his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that he and his family shall be entitled to receive medical treatment at his official residence.

14. **Provident Fund.**—(1) A Deputy Chairman and a Deputy Speaker may, at his option, become a subscriber to the General Provident Fund; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

(2) A temporary advance may be granted to a Deputy Chairman or a Deputy Speaker from the amount standing to his credit in the General Provident Fund at the discretion of the Government for the purpose for which such advance may be granted to a subscriber under the said Rules.

(3) The grant of temporary advance under sub-section (2) shall, unless the Government otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

15. **Personal staff.**—A Deputy Chairman and a Deputy Speaker shall be entitled to such personal staff as may be prescribed by Government.

16. **Compensation in case of air accidents.**—(1) If a Deputy Chairman or a Deputy Speaker, while travelling by air on official duty by any flight, scheduled or unscheduled (including flight in a Government-owned aircraft of any type), dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of one lakh and fifty thousand rupees in the case of death and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable, in the case of injury, to the Deputy Chairman or, as the case may be, the Deputy Speaker, and, in the case of death, to such member or members of his family, or, if there be no such member, such other person or persons, as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, revoked or altered by a notice in writing signed by the Deputy Chairman or, as the case may be, the Deputy Speaker and addressed to the Accountant General, Pakistan Revenues.

17. **Leave.**—(1) The President may grant to a Deputy Chairman and a Deputy Speaker during his term of office, at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding in the aggregate three months.

(2) A Deputy Chairman and a Deputy Speaker shall be entitled to receive leave salary of four thousand rupees per mensem.

18. **Additional privileges.**—The Federal Government may grant to the Deputy Chairman and the Deputy Speaker such additional privileges as it may deem fit.

19. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Ordinance.

20. **Repeal.**—The Deputy Speaker's (Remuneration and Privileges) Act, 1966 (VI of 1966), the Deputy Speaker's Allowances and Privileges Order, 1970 (P.O. No. 25 of 1970), and the Chairman and Deputy Chairman of Senate (Salaries, Allowances and Privileges) Order, 1973 (P. O. No. 17 of 1973), in so far as it relates to the Deputy Chairman, are hereby repealed.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

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ISLAMABAD, FRIDAY, SEPTEMBER 12, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 12th September, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the president on the 10th September, 1975 is hereby published for general information :—

ORDINANCE No. XI OF 1975

AN

ORDINANCE

to amend the Companies (Appointment of Legal Advisers) Act, 1974

WHEREAS it is expedient to amend the Companies (Appointment of Legal Advisers) Act, 1974 (X of 1974), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Companies (Appointment of Legal Advisers) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Price : Ps. 6

[4454 Ex. Gaz.]

2. **Amendment of section 2, Act X of 1974.**—In the Companies (Appointment of Legal Advisers) Act, 1974 (X of 1974), in section 2, in clause (b), for the words " ten lakh " the words " five lakh " shall be substituted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Law Secretary.

CORRIGENDA

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the* 28*th August*, 1975, *containing Ordinance Nos. IX and X of* 1975.]

Page 481 : In line 3, from the bottom, *for* " period " *read* " the period ".

Page 482 : In line 24, *for* " himself :" *read* " himself ; ".

Page 483 : In line 2, from the bottom, *for* " enittled " *read* " entitled ".

Page 484 : In line 24, *for* " members or " *read* " member or ".

Page 485 : In lines 8 and 9, *for* " privillages " *read* " privileges ".

Page 486 : In line 7, *for* " Deuuty " *read* " Deputy ".

: In line 29, *for* " be lie " *read* " lie ".

Page 487 : In line10, from the bottom, *for* " Chairman " *read* " Deputy Chairman ".
: In line 9, from the bottom, *for* " Speaker " *read* " Deputy Speaker ".

Page 488 : In line 7, *for* " if the " *read* " if he ".

: In line 9, from the bottom, *for* " (7) " *read* " (6) ".

Page 489 : In line 12, *for* " half, " *read* " halt, ".

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PART I

Acts, Ordinances, President's Orders and Regulations.

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 17th September, 1975.

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 16th September, 1975, is hereby published for general information :—

ORDINANCE No. XII OF 1975

AN

ORDINANCE

to provide for the constitution and regulation of the Airports Security Force

WHEREAS it is expedient to provide for the constitution and regulation of the Airports Security Force for ensuring security of all aerodromes, airports, aircraft and civil aviation installations, and for the maintenance of law and order therein, and for matters connected therewith or ancillary thereto ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

Price : Ps. 19

[4492 Ex. Gaz.]

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

CHAPTER I

1. **Short title, extent, application and commencement.**—(1) This Ordinance may be called the Airports Security Force Ordinance, 1975.

(2) It extends to all aerodromes and airports, all civil aviation stations, centres or offices in Pakistan, all Pakistan air services and activities relating to civil aviation.

(3) It shall apply to all members and officers of the Force wherever they may be.

(4) It shall come into force at once.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) " aerodrome " means any area of land or water designed, equipped, set apart or commonly used or intended to be used, either wholly or in part, for affording facilities for the landing, departure and movement of aircraft and includes all buildings, sheds, vessels, piers, installations and equipments, and other structures thereon or appertaining thereto, but does not include any aerodrome which is exclusively used by the Pakistan Air Force or any portion of an aerodrome which is used by the Pakistan Air Force ;

(b) " aircraft " means any machine which can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth's surface, and includes balloons, whether captive or free, airships, kites, gliders and flying machines ;

(c) " airport " means an aerodrome at which facilities have, in the opinion of the Federal Government, been sufficiently developed to be of importance to civil aviation ;

(d) " air service " means a service of aircraft for any purpose of civil aviation, whether aerial work, public transport or otherwise ;

(e) " air side " means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof, access to which is controlled by the Civil Aviation Department ;

(f) " competent authority " means any officer or authority designated as such by the Federal Government ;

(g) " Director-General " means the Director-General of Civil Aviation or any person performing the duties of the Director-General ;

(h) " Force " means the Airports Security Force constituted under section 3 ;

(i) " Force Commander " means the Commander incharge of the Force ;

(j) " Manager " means the Airport Manager appointed by the Federal Government or any person performing the duties of Manager at an aerodrome or at an airport or designated as being incharge of an aerodrome or of an airport ;

(k) "member" means a person, other than an officer, who is appointed to the Force and has signed an affirmation in the form set out in the First Schedule;

(l) "officer" means a person who is so appointed to the Force and has signed an affirmation in the form set out in the First Schedule;

(m) "operator" means a person, organisation or enterprise engaged in or offering to engage in aircraft operation;

(n) "prescribed" means prescribed by rules or regulations;

(o) "purposes of civil aviation" include all purposes connected with civil aviation and with air navigation, except purposes of defence by air;

(p) "regulations" means regulations made under this Ordinance; and

(q) "rules" means rules made under this Ordinance.

CHAPTER II

3. **Power to constitute and maintain the Airports Security Force and its functions.**—(1) The Federal Government may constitute and maintain a force to be called the Airports Security Force for performing the following functions, namely :—

(a) ensuring security of all airports, aerodromes, aircraft and civil aviation installations and for safeguarding civil aviation against acts of unlawful interference or threats of such interference;

(b) ensuring security of all structures, equipments, material and installations belonging to operators and other Government or non-Government organisations within the limits of airports and aerodromes;

(c) operating and maintaining the airports fire services;

(d) protecting the airport and its vicinity from bird hazard and pollution;

(e) ensuring the proper conduct of persons at airports and aerodromes as laid down in the Aircraft Rules, 1937, including control of surface vehicles and drivers within the limits of airports and aerodromes;

(f) general maintenance of law and order within the limits of airports and aerodromes in conjunction with the police and taking cognizance of all offences committed at the airports and aerodromes under any law for the time being in force; and

(g) such other functions as the Federal Government may, by notification in the official Gazette, require the Force to perform.

(2) In the discharge of their functions, the officers and members shall be guided by, and act in accordance with, this Ordinance, the Civil Aviation Ordinance, 1960 (XXXII of 1960), the Aircraft Rules, 1937, and the rules and regulations.

4. **Constitution of the Airports Security Force.**—(1) The head of the Force shall be a Force Commander appointed by the Federal Government.

(2) The Force shall consist of such ranks and number of officers and members and shall be constituted in such manner as may be prescribed by rules.

(3) The officers and members shall receive such pay, pension, allowances and other remuneration and shall enjoy such leave and other privileges as may be prescribed by rules from time to time.

(4) Every officer and member shall receive on his appointment a certificate in the form set out in the Second Schedule under the seal of the Director-General or such other officer as the Director-General may authorise in this behalf and by virtue of holding such certificate he shall be vested with the powers, functions and privileges of an officer or member.

(5) Any person who ceases, for any reason, to be an officer or member shall forthwith surrender the certificate referred to in sub-section (4) to any officer authorised by the Force Commander in this behalf.

(6) Officers and members of the Force shall wear such uniforms as may be prescribed by regulations.

5. **Administration of the Force.**—(1) The administration of the Force shall vest in the Force Commander who shall administer it in accordance with the provisions of this Ordinance, rules and such orders and instructions as may be made or issued by the Federal Government from time to time.

(2) The Force Commander shall exercise his powers and perfom his functions under the general supervision of the Director General.

CHAPTER III

6. **Powers and duties of officers and members.**—(1) An officer or member shall—

(a) take effective measures for ensuring security of all airports, aerodromes, aircraft and civil aviation installations and for safeguarding civil aviation against acts of unlawful interference ;

(b) safeguard aircraft passengers, baggage, cargo and mail within the limits of aerodromes and airports ;

(c) prevent unauthorised persons and vehicles from access to the air-side or other areas important to the security of the aerodromes or airports ;

(d) require the operations of aircraft registered in Pakistan to conform to the prescribed civil aviation security requirements.

(e) take effective measures for preventing hijacking, sabotage, placement of car bombs, letter bombs and dangerous articles, smuggling of precious metals, stones, arms, ammunition, narcotics and any other goods the bringing into, or taking out of, Pakistan of which is prohibited by or under any law for the time being in force ;

(f) use such arms and ammunition and equipment as may be authorised by the Force Commander for the purposes of this Ordinance ;

(g) search and arrest without warrant any person who he suspects of endangering, or attempting to endanger, or having endangered, the safety of an aerodrome or airport or an aircraft or a civil aviation installation and may use such force as may be necessary in the discharge of his duties aforesaid ; and

(h) perform such other functions as the competent authority may require him to perform.

(2) An officer, for the purpose of this Ordinance, shall exercise, within the areas in which this Ordinance applies, all the powers conferred on an officer in-charge of a police station under the Police Act, 1861 (V of 1861), and the Code of Criminal Procedure, 1898 (Act V of 1898).

7. **Liabilities of officers and members.**—(1) It shall be the duty of every officer and member promptly to obey and to execute all orders and instructions issued to him by any competent authority.

(2) Every officer and member shall be liable to serve wherever he is required to serve by the competent authority.

(3) Every officer or member who is guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by a competent authority, or who withdraws from his duties without permission, or without having given previous notice of two months, or who, being absent on leave, fails, without reasonable cause, to report himself for duty on the expiration of such leave, or who engages without authority in any employment other than his duty under this Ordinance, or who is guilty of cowardice, or who offers any unwarrantable personal violence to any person in his custody, shall be liable to be proceeded against departmentally and to be awarded such punishment, including imprisonment for a term which may extend to six months and fine which may extend to the amount of his pay for three months, as may be prescribed by rules.

8. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done, or intended to be done, under this Ordinance or the rules or regulations.

9. **Delegation of powers by the Federal Government.**—The Federal Government may, by notification in the official Gazette, delegate all or any of its powers under this Ordinance, except those under section 11, to the Director-General.

10. **Delegation of powers by the Director-General.**—The Director-General may, by notification in the official Gazette and with the prior approval in writing of the Federal Government, delegate all or any of his powers under the rules for the efficient functioning of the Force to any officer or authority subordinate to him.

11. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules—

(a) regulating the functions and powers of the officers ;

(b) regulating the classes and grades of, and the remuneration and rewards to be paid to, the officers and members of the Force and their conditions of service ;

(c) prescribing and regulating the award of departmental punishments ;

(d) appointing the place where a person punished with imprisonment under section 7 may be kept in custody ; and

(e) generally for the purpose of carrying into effect the provisions of this Ordinance.

12. **Power to make regulations.**—The Director-General may, by notification in the official Gazette and with the prior approval in writing of the Federal Government, make regulations consistent with this Ordinance and the rules for carrying out the purposes of this Ordinance.

FIRST SCHEDULE

[*See* section 2 (k) and (1)]

FORM OF AFFIRMATION

I, ... solemnly affirm in the presence of Almighty God that I will bear true faith and allegiance to Pakistan and that I will, as in duty bound, honestly and faithfully serve in the Airports Security Force and go wherever I may be ordered by air, land or sea, and that I will observe and obey all commands of any officer set over me even to the peril of my life.

Signed in acknowledgement of the above having been read out to me.

Person Enrolled

Date....................

Signed in my presence after I had ascertained that the person understood the purpose of what he signed.

Force Commander
or
other Enrolling Officer.

ROMAN URDU TRANSLATION OF AFFIRMATION

Main .... Khuda-e-Taala ko-Hazir-o-Nazir Janker iman se iqrar karta hun key main Pakistan ki hukumat ka sache dil se wafadar rahunga aur Airports Security Force men imandari aur wafadari se khidmat ka farz baja launga. Bharti hone ke sharait ke mutabiq hawa, khushki ya tari ke raste jahan bhi jane ka hukam melega jaonga aur jise mera afsar muqarar kia iaega uskey har hukm ki tamil aur pairwi karunga, khah us me jan ka khatra ho.

SECOND SCHEDULE

[*See* section 4 (4)]

CERTIFICATE

Mr. .... has been appointed as officer|member of the Airports Security Force under the Airports Security Force Ordinance, 1975 (.............. of 1975), and is vested with the powers, functions and privileges of an officer|member of the Force.

Seal of Director-General Civil Aviation.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned

ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

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PART I

Acts, Ordinances, President's Orders and Regulations.

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 18th September, 1975

No. F. 24 (1)/75-Pub.—The following Ordinance made by the President on the 15th September, 1975, is hereby published for general information :—

ORDINANCE No. XIII OF 1975

AN

ORDINANCE

further to amend the Pakistan International Airlines Corporation Act, 1956.

WHEREAS it is expedient further to amend the Pakistan International Airlines Corporation Act, 1956 (XIX of 1956), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Pakistan International Airlines Corporation (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Price: Ps 13

[4517 Ex. Gaz.]

2. **Amendment of section 2, Act XIX of 1956.**—In the Pakistan International Airlines Corporation Act, 1956 (XIX of 1956), hereinafter referred to as the said Act, in section 2, after clause (a), the following new clause shall be inserted, namely :—

"(aa) 'Chairman' means Chairman of the Board ; ".

3. **Substitution of section 6, Act XIX of 1956.**—In the said Act, for section 6 the following shall be substituted, namely :—

"6. *Board of Directors.*—(1) The Board of Directors shall consist of the following ten Directors, namely :—

(a) the Chairman ;

(b) seven Directors to be nominated by the Federal Government ; and

(c) two Directors to be elected by the shareholders other than the Federal Government.

(2) Every Director, other than the Chairman, shall—

(a) perform such special duties as the Board may, by regulation, assign to him ; and

(b) receive such remuneration, fees or allowances, and enjoy such privileges, as the Federal Government may determine".

4. **Amendment of section 7, Act XIX of 1956.**—In the said Act, in section 7, in sub-section (1), the words "other than the Managing Director" shall be omitted.

5. **Substitution of section 8, Act XIX of 1956.**—In the said Act, for section 8 the following shall be substituted, namely :—

"8. *Chairman.*—(1) The Federal Government shall appoint the Chairman of the Board, who shall be the chief executive of the Corporation.

(2) The Chairman shall hold office for a period of three years on such terms and conditions as the Federal Government may determine.

(3) The Chairman shall exercise such powers and perform such functions as the Federal Government may, from time to time, determine.

(4) The Chairman shall receive such remuneration, fees or allowances, and enjoy such privileges, as the Federal Government may determine.

8A. *Managing Director.*—(1) There shall be a Managing Director of the Corporation, who shall be appointed by the Federal Government after consultation with the Chairman.

(2) The Managing Director shall hold office for such period, and be subject to such terms and conditions of service, as the Federal Government may determine after consultation with the Chairman.

(3) The Managing Director shall exercise such powers and perform such functions as the Chairman may assign to him from time to time. ".

6. **Amendment of section 9, Act XIX of 1956.**—In the said Act, in section 9, in sub-section (2) for the words "Managing Director" the word "Chairman" shall be substituted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

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ISLAMABAD, SATURDAY, SEPTEMBER 20, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 20th September, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 19th September, 1975, is hereby published for general information :—

ORDINANCE No. XIV OF 1975

AN

ORDINANCE

further to amend the Pakistan Army Act, 1952

WHEREAS it is expedient further to amend the Pakistan Army Act, 1952 (XXXIX of 1952), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Pakistan Army (Amendment) Ordinance, 1975.

(2) It shall come into force at once and section 2 shall be deemed to have taken effect on the sixteenth day of December, 1971.

2. **Amendment of section 2, Act XXXIX of 1952.**—In the Pakistan Army Act, 1952 (XXXIX of 1952), hereinafter referred to as the said Act, in section 2,—

(1) in sub-section (1), in clause (d), for the full stop at the end a semicolon shall be substituted, and thereafter the following new clause shall be added, namely :—

"(e) persons not otherwise subject to this Act who belonged to the former East Pakistan Civil Armed Forces and were repatriated to Pakistan after the sixteenth day of December, 1971."; and

(2) in sub-section (2), after the words, brackets and letter "or clause (b)", the words, brackets and letter "or clause (e)" shall be inserted.

3. **Insertion of new section 2B, Act XXXIX of 1952.**—In the said Act, after section 2A, the following new section shall be inserted, namely :—

"2B. *Secondment to other armed forces.*—The Federal Government may by order in writing direct that any person referred to in clause (a) of sub-section (1) of section 2, other than a junior commissioned officer or warrant officer, shall, under such conditions as may be laid down by regulations, be seconded for service with any other armed forces raised or maintained by the Federal Government, including civil armed forces.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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ISLAMABAD, TUESDAY, SEPTEMBER 23, 1975

PART I

Acts, Ordinances, President's Orders and Regulations.

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 23rd September, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 21st September, 1975, is hereby published for general information :—

ORDINANCE No. XV OF 1975

AN

ORDINANCE

to make provision for the regulation of the engineering profession

WHEREAS it is expedient to make provision for regulation of the engineering profession and for that purpose to constitute an Engineering Council ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Pakistan Engineering Council Ordinance, 1975.

(2) It extends to the whole of Pakistan.

Price : Ps. 37

[4582 Ex. Gaz.]

(3) It shall come into force at once.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or the context,—

(a) "bye-laws" means bye-laws made under this Ordinance;

(b) "Chairman" means Chairman of the Council;

(c) "consulting engineer" means an engineer or body of engineers registered as such;

(d) "Council" means the Pakistan Engineering Council constituted under section 3;

(e) "engineering institution" means an institution within or without Pakistan which grants degrees in engineering and is recognised as such by the Council;

(f) "engineering public organisation" means a Department of the Federal Government or a Provincial Government, a public Corporation, autonomous or semi-autonomous body, cantonment board, municipality, improvement trust or other local authority;

(g) "Executive Committee" means the Executive Committee of the Council;

(h) "member" means a member of the Council and includes the Chairman and Vice-Chairman;

(i) "prescribed" means prescribed by bye-laws;

(j) "professional engineer" means a person who holds a recognised engineering qualification and is registered as a professional engineer;

(k) "professional engineering work" means the giving of professional advice and opinions, the making of measurements and layouts, the preparation of reports, computations, designs, drawings, plans and specifications and the construction, inspection and supervision of engineering works, in respect of—

  (i) railways, aerodromes, bridges, tunnels and metalled roads;

  (ii) dams, canals, harbours, light houses;

  (iii) works of an electrical, mechanical, hydroulic, communication aeronoutical power engineering, geological or mining character;

  (iv) waterworks, sewers, filtration, purification and incinerator works;

  (v) residential and non-residential buildings, including foundations, framework and electrical and mechanical systems thereof;

  (vi) structures accessory to engineering works and intended to house them; and

  (vii) any other work which the Council may, by notification in the official Gazette, declare to be an engineering work for the purposes of this clause;

(l) "recognised engineering qualification" means any of the qualifications included in the First Schedule or the Second Schedule;

(m) "Register" means the Register maintained under section 16;

(n) "registered" means registered under this Ordinance;

(o) "Registrar" means the Registrar of the Council; and

(p) "University" means a University established by law in Pakistan and having an engineering faculty.

3. **Constitution and incorporation of Engineering Council.**—(1) There shall be constituted in accordance with the provisions of this Ordinance an Egineering Council to be known as the Pakistan Engineering Council.

(2) The Council constituted under sub-section (1) shall be a body corporate having perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and to contract, and shall by the name by which it is known sue and be sued.

(3) The Council shall be composed of all persons whose names may hereafter be entered in the Register, so long as they continue to have their names borne on the Register.

(4) Notwithstanding anything contained in sub-section (3), the Council shall, upon its first constitution, be composed of—

(a) a Chairman, being an engineer with not less than twenty years' standing, to be nominated by the Federal Government;

(b) ten members, being engineers, of whom two each shall be nominated by the Federal Government and a Provincial Government; and

(c) one member, being an engineer, to be nominated by each University.

(5) The headquarters of the Council shall be at Islamabad or at such other place as the Federal Government may appoint.

4. **Chairman and Vice-Chairman.**—(1) There shall be a Chairman and a Vice-Chairman of the Council to be elected by the Members from amongst themseleves in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1), for a period of one year from the commencement of this Ordinance, the Chairman shall be the person nominated by the Federal Government under clause (a) of sub-section (4) of section 3.

(3) The Chairman and Vice-Chairman shall, subject to sub-section (2), hold office for a term of two years.

(4) No person shall be qualified to be elected as, or to be, Chairman or Vice-Chairman for more than two consecutive terms.

5. **Annual general meeting of the Council.**—(1) An annual general meeting of the Council shall be held at the headquarters of the Council at such time as may be appointed by the Executive Committee.

(2) The following business may be transacted at the annual general meeting, namely :—

(a) presentation of annual report;

(b) presentation of audited accounts;

(c) presentation of annual budget;

(d) appointment of auditors ; and

(e) such other business as may be placed before the meeting by the Executive Committee or as the meeting may decide.

6. **Extraordinary general meeting of the Council.**—(1) An extraordinary general meeting of the Council shall be called by the Chairman at the headquarters of the Council—

(a) within fourteen days of the receipt by him of a requisition signed by not less than one hundred members and stating the business proposed to be transacted at the meeting ; or

(b) at any time, if the holding of such meeting for the consideration of any urgent matter is in his opinion necessary.

(2) At a meeting called in pursuance of clause (a) of sub-section (1), no business other than the business stated in the requisition referred to in that clause shall be transacted.

7. **General provisions relating to meetings of Council.**—(1) An annual or extraordinary general meeting of the Council shall be held and conducted in accordance with the bye-laws.

(2) To constitute a quorum at an annual or extraordinary general meeting of the Council, the presence of not less than one hundred members shall be necessary :

Provided that, in respect of the Council as constituted under sub-section (4) of section 3, this sub-section shall have effect as if, for the words "on hundred" therein the word "six" were substituted.

(3) All decisions of the Council at an annual or extraordinary general meeting shall be taken by majority of the members present and voting.

8. **Functions of the Council.**—The following shall be the functions of the Council, namely :—

(a) maintenance of a Register of persons qualified to practise as professional engineers and consulting engineers ;

(b) recognition of engineering qualifications for the purpose of registration of professional engineers and consulting engineers ;

(c) removal of names from the Register and restoration to the Register of names which have been removed ;

(d) laying down of standards of conduct for the members ;

(e) safeguarding the interests of the members ;

(f) promotion of reforms in the engineering profession ;

(g) management of the funds and properties of the Council ;

(h) promotion of engineering education and review of courses of studies in consultation with the Universities ;

(i) levy and collection of fees from applicants for registration or temporary licences and members ;

(j) exercise of such diciplinary powers over the members and servants of the Council as may be prescribed ;

(k) formation of such committees as may be prescribed ;

(l) performance of all other functions connected with, or ancillary or incidental to, the aforesaid functions.

9. **Executive Committee.**—(1) There shall be an Executive Committee of the Council for the management of the affairs of the Council and for performing the functions assigned to the Council by or under this Ordinance.

(2) The Executive Committee shall be composed of the following persons, namely :—

(a) the Chairman and Vice-Chairman of the Council who shall also be the Chairman and Vice-Chairman respectively of the Executive Committee ;

(b) the Registrar ;

(c) five members, being professional engineers, of whom one each shall be nominated by the Federal Government and a Provincial Government ;

(d) one member, being a professional engineer, to be nominated by each University ;

(e) one member, being a professional engineer, to be nominated by the Institute of Engineers, Pakistan ; and

(f) one member, being a professional engineer of not less than ten years' standing, for every two hundred professional engineers, or a part thereof, whose names are borne on the Register on the thirtieth June of the year in which election to the Executive Committee is held, to be elected by the professional engineers in the prescribed manner.

(3) Notwithstanding anything contained in sub-section (2), for a period of one year from the commencement of the Ordinance, the Executive Committee shall be composed of the persons nominated by the Federal Government under sub-section (4) of section 3.

(4) The members of the Executive Committee, other than the Registrar, shall subject to sub-section (3), hold office for a term of two years.

(5) No person shall be qualified to be elected as, or to be, a member of the Executive Committee for more than two consecutive terms.

(6) The election of members of the Executive Committee under clause (f) of sub-section (2) shall be held so as to conclude not less than fifteen days before the term of the outgoing members is due to expire.

10. **Recognition of engineering qualifications granted by institutions in Pakistan.**—(1) The engineering qualifications granted by engineering institutions in Pakistan which are included in the First Schedule shall be the recognised engineering qualifications for the purposes of this Ordinance.

(2) Any engineering institution in Pakistan which grants an engineering qualification not included in the First Schedule may apply to the Council to have such qualification recognised, and the Council may, by notification in the official Gazette, amend the First Schedule so as to include such qualification therein.

11. **Recognition of foreign engineering qualifications.**—(1) The engineering qualifications granted by engineering institutions outside Pakistan which are included in the Second Schedule shall be recognised engineering qualifications for the purposes of this Ordinance.

(2) Any engineering qualification granted by an engineering institution outside Pakistan not included in the Second Schedule may be recognised by the Council, and the Council may, by notification in the official Gazette, amend the Second Schedule so as to include such qualification therein.

12. **Grant of temporary licences.**—(1) The Executive Committee may grant to any person domiciled outside Pakistan who does not hold any recognised engineering qualification but who holds a diploma in engineering, a degree in applied sciences, or an equivalent diploma from an institution recognised by the Council, or who is a corporate member of an engineering body, society, institute or association recognised by the Council, a temporary licence for a specific project to work as an associate of a professional engineer who shall sign and seal the plans and specifications for the project.

(2) The Executive Committee may, if it feels that such action is warranted by special circumstances, grant to a person referred to in sub-section (1) a temporary licence to work as the engineer in charge of a specific project for so long as he is assisted by a professional engineer.

(3) The Executive Committee may, for works to be carried out at the discretion of an engineering public organisation, grant a temporary licence to any person on the recommendation of such organisation.

(4) Any person to whom a temporary licence has been granted shall, during the period for which the licence is valid, be subject to the provisions of this Ordinance and the bye-laws.

13. **Power to require information as to courses of study and Examination.**—Every engineering institution in Pakistan which grants a recognised engineering qualification shall furnish such information as the Council may, from time to time, require as to the courses of study and examination to be undergone in order to obtain such qualification.

14. **Inspection of examinations.**—(1) The Council shall appoint such number of inspectors as it may deem requisite to attend at any or all of the examination held by the engineering institutions in Pakistan for the purpose of granting engineering qualifications which are recognised engineering qualifications or in respect of which recognition has been sought.

(2) Inspectors appointed under sub-section (1) shall not interfere with the conduct of any examination but they shall report to the Council on the sufficiency of the examination which they attend and on the courses of study and facilities for teaching provided by the institution in question at different stages in respect of such examination, and on any other matter in regard to which the Council may require them to report.

15. **Withdrawal of recognition.**—(1) When upon report by an inspector, it appears to the Council that the courses of study and examination to be gone through in any engineering institution in Pakistan in order to obtain a recognised engineering qualification or the standards of proficiency required from candidates

in any examination held for the purpose of granting such qualification are not such as to secure to persons holding such qualification the knowledge and skill requisite for the efficient practice of engineering, the Council shall forward the report to the engineering institution concerned with an intimation of the period within which it may submit its explanation to the Council.

(2) On receipt of the explanation or, where no explanation is submitted within the specified period, on the expiry of that period, the Council, after making such further inquiry, if any, as it may think fit, may, by notification in the official Gazette, direct that an entry shall be made in the First Schedule against the engineering qualification to which the explanation relates declaring that it shall be a recognised engeineering qualification only when granted before a specified date.

16. **Maintenance of Register, etc.**—(1) The Council shall maintain in the prescribed manner a Register in which shall be entered the names and other particulars of persons, possessing recognised engineering qualifications whose applications for registration as professional engineers and consulting engineers are from time to time granted by the Council.

(2) Every application for registration under this Ordinance shall be made to the Council in the prescribed form and be accompanied by the prescribed fee.

(3) Every professional engineer and consulting engineer registered under this Ordinance shall be entitled to receive a certificate of registration under the hand of the Registrar.

(4) A certificate of registration issued under sub-section (3) shall, subject to the provisions of this Ordinance, remain in force until the thirty-first day of December of the year in which it is issued and shall thereafter be renewable annually upon payment of the prescribed fee.

17. **Registration and removal of names from Register.**—(1) Every application for registration, and every case of removal of a name from the Register, shall be considered by an enrolment committee consisting of the Chairman and Vice-Chairman and three other members, being engineers of not less than ten years' standing, nominated by the Executive Committee.

(2) The enrolment committee in its discretion may refuse to permit the registration of any person or direct the removal altogether or for a specified period from the Register of the name of any registered professional engineer or consulting engineer who or which has been convicted of any such offence as implies in the opinion of the committee a defect of character or who or which, after an inquiry at which opportunity has been given to such person to be heard in person or through an advocate, has been held by the committee as guilty of infamous conduct in any professional respect or who or which has shown himself or itself to be unfit to continue in practice on any ground including, in the case of a professional engineer, mental illhealth.

(3) The enrolment committee may direct that any name removed from the Register under sub-section (2) shall be resorted.

(4) For the purpose of an inquiry under sub-section (2), the enrolment committee shall be deemed to be a court within the meaning of the Evidence Act, 1872 (I of 1872), and shall exercise all the powers of a commissioner appointed under the Public Servants (Inquiries) Act, 1850 (XXXVII of 1850).

18. **Appeal against removal of name from Register.**—(1) Any professional engineer or consulting engineer aggrieved by an order under sub-section (1) of section 17 for the removal of his or its name from the Register may, within thirty days of the communication of the order, prefer an appeal to the Executive Committee.

(2) Upon the receipt of an appeal under sub-section (1), the Executive Committee may, after holding such inquiry as it may consider necessary and giving the appellant an opportunity of being heard in person or through an advocate, pass such order as it may deem fit.

19. **Revision of Register.**—(1) The Registrar shall remove from the Register the name of any professional engineer or consulting engineer—

(a) who has died or, as the case may be, which has ceased to exist;

(b) who or which has failed to have his or its certificate of registration renewed within one year of the date of its expiry; or

(c) whose name has been directed under sub-section (2) of section 17 or sub-section (7) of section 22 to be removed from the Register.

(2) The Registrar shall restore to the Register the name of any professional engineer or consulting engineer whose name has been removed from the Register under clause (b) of sub-section (1) if such professional engineer or consulting engineer applies for such restoration and pays the prescribed fee.

(3) The Council may, in its discretion, after the expiry of not less than one year following the removal from the Register of the name of any professional engineer or consulting engineer grant registration to such professional engineer or consulting engineer if he or it applies for registration.

20. **Complaints against professional engineers, etc.**—(1) If at any time a complaint is made to the Council by any person as to the work or conduct of any professional engineer or consulting engineer, the Executive Committee may refer the matter for inquiry and report to an inquiry committee appointed by it.

(2) If, upon the receipt of such report, the Executive Committee considers that a *prima facie* case for the removal from the Register of the name of the professional engineer or consulting engineer to whom the complaint relates has been established, the Executive Committee may refer the case to a Tribunal.

21. **Tribunals of Inquiry.**—(1) For holding inquiries into the professional conduct of professional engineers and consulting engineers, the Executive Committee may constitute as many Tribunals of Inquiry as it may consider necessary.

(2) A Tribunal shall consist of three members appointed by the Executive Committee out of a penal of member of the Council maintained by the Committee who have professional standing of the less than ten years and who hold, or have held high engineering assignments.

(3) The Executive Committee shall appoint one of the members of a Tribunal to be the Chairman thereof.

22. **Procedure in inquires, etc.**—(1) In inquiries relating to the professional conduct of professional engineers and consulting engineers, the Tribunal shall, except as hereinafter provided, follow such procedure as may be prescribed.

(2) The Tribunal shall fix a date for the hearing of the case and shall cause notice of the day so fixed to be given to the complainant and the professional engineer or consulting engineer concerned, hereafter in this section referred to as the respondent, and shall afford to the complainant and the respondent an opportunity of leading evidence, if any, and of being heard before recommendations are made in the case.

(3) The Chairman of the Tribunal may empower a member of the Tribunal to consider and decide preliminary issues and to record evidence.

(4) On completion of the inquiry, the Tribunal may recommend to the Executive Committee—

- (a) dismissal of the complaint ;
- (b) imposition of any of the following penalties on the respondent, namely :—
  - (i) reprimand ;
  - (ii) removal of name from the Register for a period not exceeding twelve months ;
  - (iii) removal of name from the Register altogether ; or
- (c) prosecution of the respondent for the offence constituted by his or its conduct.

(5) The Tribunal may make such recommendation to the Executive Committee as to the cost of the proceedings before it as it may deem fit ; and, where the Tribunal is of the opinion that a complaint made against a respondent is false and vexatious, it may, in addition and without prejudice to any other remedy available to the respondent, recommend imposition upon the complaint of costs not exceeding a sum of ten thousand rupees and payment to the respondent of the whole or any part of the costs recovered from the complainant.

(6) In any case in which it has recommended the imposition of any penalty on, or the prosecution of, the respondent, the Tribunal may also recommend that an amount not exceeding twice the amount of the fee received by the respondent from the complainant may be recovered from the respondent and paid to the complainant as compensation.

(7) The Executive Committee shall meet to consider the recommendations of the Tribunal within a period of six weeks from the date of receipt thereof and pass such orders as it may deem fit.

(8) Any order of the Executive Committee as to the costs of the proceedings before the Tribunal or as to the recovery of any amount from a complainant or a respondent shall be executable as if it were an order of a District Judge.

(9) When any professional engineer or consulting engineer is reprimanded under this Ordinance a record of the punishment shall be entered against his or its name in the Register.

23. **Powers of the Tribunal.**—For the purpose of any such inquiry as aforesaid, a Tribunal shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters namely :—

- (a) enforcing the attendance of any person,
- (b) compelling the production of documents, and
- (c) issuing commissions for the examination of witnesses.

(2) Every such inquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860), and a Tribunal shall be deemed to be a civil court for the purpose of section 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

(3) For the purposes of enforcing the attendance of any person or of compelling the production of documents or issuing commissions—

(a) the jurisdiction of a Tribunal shall extend to the whole of Pakistan ; and

(b) a Tribunal may send to any civil court having jurisdiction in the place where the Tribunal is sitting any summons or other process for the attendance of a witness or the production of documents required by the Tribunal, or any commission which is desires to issue, and the civil court shall serve such process or issue such commission, as the case may be, and may enforce any such process as if it were a process for attendance or production before itself.

(4) Proceedings before a Tribunal in any such inquiry shall be deemed to be civil proceedings for the purposes of section 132 of the Evidence Act, 1872 (I of 1872), and the provisions of that section shall apply accordingly.

24. **Fund of the Council, accounts and audit.**—(1) All sums received by the Council as fees, grants, donations or subscriptions shall form part of a fund which shall be managed, administered and utilised in such manner as may be prescribed.

(2) The Executive Committee shall cause to be maintained such books of account and other books in such form and manenr as may be prescribed.

(3) The accounts of the Council shall be audited, before the thirtieth day of November each year, by an auditor appointed by the Council who is a chartered accountant within the meaning of the Chartered Accountants Ordinance, 1961 (X of 1961).

25. **Bye-laws of the Council.**—(1) The Executive Committee may, with the previous sanction of the Federal Government, by notification in the official Gazette, make bye-laws for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may provide for all or any of the following matters, namely :—

(a) the summoning and holding of meetings of the Council and Executive Committee, the time and places where such meeting are to be held, the conduct of business and the number of members necessary to constitute a quorum at a meeting of the Executive Committee ;

(b) the powers and duties of the Chairman, Vivce-Chairman and Registrar ;

(c) the terms of office and powers and duties of the Registrar and other officers and servants of the Council ;

(d) the appointment, powers, duties and procedure of inspectors ;

(e) the procedure for maintenance and publication of the Register, the fees to be charged under this Ordinance and establishment of sub-offices or branches of the Council;

(f) the management of the property of the Council and the maintenance and audit of its accounts;

(g) the procedure at any inquiry held under sub-section (2) of section 17; and

(h) any other matter which is to be or may be prescribed.

26. **Proof of membership, etc.**—For the purposes of any action or proceeding under this Ordinance, a certificate of the Registrar certifying under the seal of the Council that, on a specified date, the name of a person was or was not borne on the Register shall be proof of its contents and of the authenticity of his signature, until the contrary is proved.

27. **Penalties and procedure.**—(1) After such date as the Federal Government may, after consultation with the Council, by notification in the official Gazette, appoint in this behalf, whoever undertakes any professional engineering work shall, if his name is not for the time being borne on the Register, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both, and, in the case of a continuing offence, with a further fine which may extend to two hundred rupees for every day after the first during which the offence continues.

(2) After the date appointed as aforesaid, whoever employs for any professional engineering work any person whose name is not for the time being borne on the Register shall be punishable, on first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both, and on a second or subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

(3) Whoever wilfully procures or attempts to procure himself or itself to be registered under this Ordinance as a professional engineer or consulting engineer by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either orally or in writing, and any person who assists him therein shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

(4) Whoever falsely pretends to be registered under this Ordinance or, not being registered under this Ordinance, uses with his name or title any words or letters representing that he is so registered, irrespective of whether any person is actually deceived by such pretence or representation or not, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

(5) No person undertaking any professional engineering work shall, unless he is registered under this Ordinance, be entitled to recover before any court or other authority any sum of money for services rendered in such work.

(6) No court shall take cognizance of any offence punishable under this Ordinance save on complaint made by, or under the authority of, the Council.

(7) No court inferior to that of a Magistrate of the first class shall try any offence punishable under this Ordinance.

28. **Saving.**—Nothing in this Ordinance shall be deemed to—

(a) affect the right of any person who was, immediately before the date specified in a notification issued under sub-section (1) of section 27, entitled to practice as an architect to continue such practice, provided a professional engineering work is executed under the supervision of a professional engineer, or to prevent him from associating with a professional engineer;

(b) affect the right of any person to execute or undertake any work for which he has been trained in an institution specified by the Council, by notification in the official Gazette, for the purposes of this clause;

(c) affect the right of any person who was, immediately before the date specified in a notification issued under sub-section (1) of section 27, entitled to work as a land surveyor to continue such work; or

(d) restrict the normal practice of his art or trade by an artisan or skilled workman.

29. **Power to exempt.**—If the Council so recommends, the Federal Government may, by notification in the official Gazette exempt any person or class of persons, or any professional engineering work or class of such works, from the operation of the provisions of section 27, subject to such conditions, if any, as may be specified in the notification.

30. **Commission of Inquiry.**—(1) Whenever it is made to appear to the Federal Government that the Council is not complying with any of the provisions of this Ordinance, the Federal Government may refer the particulars of the complaint to a Commission of Inquiry consisting of—

(a) a person who is, or has been, or is qualified to be, a Judge of a High Court, to be appointed by the Federal Government;

(b) a professional engineer, to be nominated by the Federal Government; and

(e) a professional engineer, to be nominated by the Council.

(2) The Commission shall proceed to inquire and report to the Federal Government as to the truth of the matters charged in the complaint and, in case of any charge of default or of improper action being found by the Commission to have been established, the Commission shall recommend remedies, if any, which are in its opinion necessary.

(3) The Federal Government may require the Council to adopt the remedies so recommended within such time as, having regard to the report of the Commission, if may think fit; and, if the Council fails to comply with any such requirement the Federal Government may amend the bye-laws or make such provision or order or take such other steps as may seem necessary to give effect to the recommendations of the Commission.

(4) A Commission of Inquiry shall have power to administer oaths, to enforec the attendance of witnesses and the production of documents, and shall have all such other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908 (Act V of 1908).

THE FIRST SCHEDULE

[*See section* 2 (*m*) *and* 10]

Recognised Engineering Qualifications as Granted by Engineering Institutions in Pakistan :—

Engineering Institution	Recognised Eengineering Qualifications
1. West Pakistan University of Engineering & Technology, Lahore	B. Sc. Engineering.
2. East Pakistan University of Engineering & Technology, Dacca.	B. Sc. Engineering.
3. University of Karachi	Bachelor of Engg.
4. Sind University	B. Sc. Engineering. B. Sc. Agriculture Engineering.
5. University of Peshawar	B. Sc. Engineering.
6. Agricultural University, Lyallpur ..	B. Sc. Agricultural Engineering.
7. Military College of Engineering	B. Sc. (Civil Engg).
8. Institute of Engineers Pakistan	A. M. I. E. (Pak).

THE SECOND SCHEDULE

[*See section* 2 (*m*) *and* 11]

Recognised Engineering Qualifications granted by Engineering Institutions out side of Pakistan.

Engineering Institution	Recognised Engineering Qualifications
1. Aligarh Muslim University	B. Sc. (Engg).
2. Andhara University	B. Sc. in Civil, Mechanical or Electrical Engineering from 1950.
3. Annamali University	B. E. in Civil, Mechanical, Electrical or Chemical Engineering from April, 1949.

Engineering Institution	Recognised Engineering Qualifications
4. Banaras Hindu University	B. Sc. In Engineering, B. Sc. (Mining), B. Sc. (Met).
5. Calcutta University	B. E. Civil, Mechanical or Electrical Engineering B. Met, M. E. (Met).
6. College of Engineering & Technology, Bengal	(1) B. N. E., B. E. E., B. Ch. E. (2) B. E. E., (Communication Option, from 19th May, 1951. (3) Special Degree Examination upto April, 1950.
7. Dacca University	Degree in Engineering.
8. Aberdeen University	B. Sc. in Engineering. (Honours or Ordinary Degree). *
9. Adelaide University	B. E. Civil, Mechanical or Electrical Engineering.
10. Birmingham University	B. Sc. in Civil, Mechanical or Electrical Engineering (Honours or Ordinary Degree).
11. Bristol University	B. Sc. in Civil, Mechanical or Electrical Engineering (Honours or Ordinary Degree).
12. Cambridge University	(1) B. A. (Honours) in Mechanical Science. Tripos. (2) Ordinary Degree B. A. in Engineering, provided the Graduate has passed in principal subject, Engineering I, Engineering II and Engineering III.*
13. Cape Town University	B. Sc. in Engineering.
14. Dublin University	B. A. I. (Ordinary or with Honours in Engineering).
15. Durham University	(1) B. Sc. in Civil Mechanical or Electrical Engineering or Naval Architecture (Honour or Ordinary Degree). (2) B. Sc. in Marine Engineering.

Engineering Institution	Recognised Engineering Qualifications
16. Edinburgh University	B. Sc. in Engineering.
17. Glasgow University	(1) B. Sc. in Engineering. (2) B. Sc. in Naval Architecture (Honours or Ordinary Degree).
18. Leeds University	B. Sc. in Civil, Mechanical or Electrical or Marine Engineering or Naval Architecture (Honours or Ordinary Degree).
19. Liverpool University	B. Engg. in Civil, Mechanical, Electrical or Marine Engineering or Naval Architecture (Honours or Ordinary Degree).
20. London University	B. Sc. (Internal or External Degree) in Engineering (not including Metallurgy) (Honours or Ordinary Degree). B. Sc. (Internal) in Engineering (Mining) obtained in or after 1926. B. Sc. (External) in Engineering (Mining) (Honours Degree) obtained in or after 1935.
21. Manchester University	Certificate in Technology in Mechanical or Electrical Engineering.
22. McGill University, Montreal	B. Sc. in Civil, Mechanical, Electrical, Metallurgical or Mining Engineering (Honours or Ordinary Degree).
23. Melbourne University	B. C. E., B. Mech. E., or B. E. E.
24. National University of Ireland	B. E.
25. New Zealand University	B. E. in Civil, Mechanical or Electrical Engineering.

Engineering Institution	Recognised Engineering Qualifications
26. Oxford University	B. A. with Honours in Engineering Science, Final Honours School.
27. Queens University, Belfast	B. Sc. in Engineering.
28. Queensland University	B. E. in Civil, Mechanical or Electrical Engineering.
29. Rangoon University	B. Sc. in Engineering.
30. Sheffield University	B. Engg. in Civil, Mechanical or Electrical Engineering (Honours Degree or Ordinary Degree with a first class in the Final Examination will not be required in the cases of Degrees obtained in or after June, 1930). B. E. (Met.) (Honours Degree).
31. South Africa University	B. Sc. in Engineering obtained before 1921.
32. St. Andrews University	B. Sc. in Engineering.
33. Sydney University	B. E. in Civil or Mechanical and Electrical Engineering.
34. Victoria University, Manchester	B. Sc. (Tech.) (Ordinary Course, Divisions I and II) in Electrical Engineering. B. Sc. (Tech.) (Higher Course, Honours or Ordinary Course, Division I) in Municipal Engineering. B. Sc. (Tech.) (Ordinary Degree obtained in or after 1930) in Municipal Engineering. B. Sc. (Tech.) (Ordinary Course, Division I) in Mechanical Engineering. B. Sc. in Engineering (Honours or Ordinary Degree) from 1925.

Engineering Institution	Recognised Engineering Qualifications
	B. Sc. (Tech.) in Mechanical or Electrical Engineering (Honours in Final Examination).
35. Wales University	B. Sc. in Civil, Mechanical or Electrical Engineering.
36. Western Australia University	B. E.
37. Witwaterarand University, Johannesburg...	B. Sc. in Civil, Mechanical or Electrical Engineering.
38. American Universities/Institutions ..	Degrees and Diplomas of only those American Engineering Institutions the curricula of which has been accredited by the Engineer's Council for Professional Development, New York, provided they have actually been taken after a full course of studies of not less than three years in such Institutions, any period of exemption granted by the Institutions being included in reckoning these three years.

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*These Degrees will be accepted only if taken after three years, study and the passing of the regular examination in these Universities. The condition as to three years' study will not, however, apply to those candidates who have taken a Degree which exempts them from a part of the University course, and have taken one of these Degrees in less than three years in accordance with the regulations of the University concerned.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

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ISLAMABAD, TUESDAY, SEPTEMBER 30, 1975

PART I

Acts, Ordinance, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 30th September, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 28th September, 1975, is hereby published for general information :—

ORDINANCE No. XVI OF 1975

AN

ORDINANCE

further to amend the West Pakistan Water and Power Development Authority Act, 1958.

WHEREAS it is expedient further to amend the West Pakistan Water and Power Development Authority Act, 1958 (West Pakistan Act No. XXXI of 1958), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the West Pakistan Water and Power Development Authority (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

[4671 Ex. Gaz.]

Price : Ps. 13

2. **Amendment of section 17, W.P. Act No. XXXI of 1958.**—In the West Pakistan Water and Power Development Authority Act, 1958 (West Pakistan Act No. XXXI of 1958), in section 17, after sub-section (1), the following new sub-sections shall be inserted, namely :—

"(1A) Notwithstanding anything contained in sub-section (i) or any rules made, or orders or instructions issued, by the Authority, or in the terms and conditions of service of any person employed by, or serving under the Authority, the Authority may, at any time, remove from its service any person without assigning any reason, after giving him not less than thirty days' notice or pay for the period by which such notice falls short of thirty days.

(1B) Service under the Authority is hereby declared to be service of Pakistan and every person holding a post under the Authority, not being a person who is on deputation to the Authority from any Province, shall be deemed to be a civil servant for the purposes of the Service Tribunals Act, 1973 (LXX of 1973).".

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 28th September, 1975, is hereby published for general information :—

ORDINANCE No. XVII OF 1975

AN
ORDINANCE

to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975

WHEREAS it is expedient to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 (XV of 1975), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Suppression of Terrorist Activities (Special Courts) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Amendment of section 6, Act XV of 1975.**—In the Suppression of Terrorist Activities (Special Courts) Act, 1975 (XV of 1975), hereinafter referred to as the said Act, section 6 shall be re-numbered as sub-section (1) of that section and, after sub-section (1) re-numbered as aforesaid, the following new sub-section shall be added, namely :—

"(2) A Special Court shall have the same power as the High Court has to punish any person who—

(a) abuses, interferes with or obstructs the process of the Court in any way or disobeys any order of the Court ;

(b) scandalises the Court or otherwise does anything which tends to bring the Court or the person constituting the Court in relation to his office into hatred, ridicule or contempt;

(c) does anything which tends to prejudice the determination of a matter pending before the Court; or

(d) does any other thing which, by any other law, constitutes contempt of court:

Provided that fair comment made in good faith and in the public interest on the working of the Court or any of its final decisions after the expiry of the period of limitation for appeal shall not constitute contempt of court.".

3. **Amendment of section 7, Act XV of 1975.**—In the said Act, in section 7,—

(a) in sub-section (1), after the word and comma "passed," the words and comma "and the Provincial Government may direct any person appointed by it for the purpose to present an appeal to the High Court from an order of acquittal passed by a Special Court," shall be inserted; and

(b) in sub-section (2), after the word "sentence", the words and commas "or order of acquittal, as the case may be," shall be inserted.

SD/- FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

SD/- ZULFIKAR ALI BHUTTO,
Prime Minister.

SD/- ABAID ULLAH KHAN,
Solicitor.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 10*th April,* 1975

No. F. 24 (1)|75-Pub.—The following Order made by the President on the 2nd April, 1975, is hereby published for general information :—

THE PREPARATION OF ELECTORAL ROLLS (FEDERALLY ADMINISTERED TRIBAL AREAS) ORDER, 1975.

PRESIDENT'S ORDER No. 1 OF 1975

WHEREAS clause (6) of Article 51 of the Constitution enables the President to make by Order such provisions as to the manner of filling the seats in the National Assembly allocated to the Federally Administered Tribal Areas as he may think fit ;

AND WHEREAS, it is necessary to provide for the preparation and revision of electoral rolls for the purpose of election of members of the National Assembly from those Areas ;

NOW, THEREFORE, in exercise of the power aforesaid, the President is pleased to make the following Order :—

1. **Short title, extent and commencement.**—(1) This Order may be called the Preparation of Electoral Rolls (Federally Administered Tribal Areas) Order, 1975.

(2) It shall come into force at once.

(3) It shall apply to the Federally Administered Tribal Areas.

Price : Ps. 13

[1949 Ex. Gaz.]

2. **Definition.**—In this Order, "Malik" means a person who is in receipt of Maliki allowance or lungi allowance or is a Mowajib Elder.

3. **Preparation of electoral rolls.**—(1) For the purpose of election of Members to the seats in the National Assembly from the Federally Administered Tribal Areas as allocated under the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), there shall be prepared electoral rolls for each constituency in those Areas.

(2) Every Political Agent or, as the case may be, Deputy Commissioner shall prepare and maintain an electoral roll for each constituency in the Federally Administered Tribal Areas within his jurisdiction containing the name—

(a) of every Malik who is not less than eighteen years of age on the first day of January, in the year in which the preparation or revision of the electoral roll commences under this Order; or

(b) where any such Malik is less than eighteen years of age at such commencement, of his duly accredited or recognised guardian:

Provided that, for the purpose of the first general election to the National Assembly or an election to a seat falling vacant before the holding of the second general election to the National Assembly, clauses (a) and (b) shall have effect as if for the word "eighteen" therein the word "twenty-one" were substituted.

(3) A copy of the electoral roll shall be kept open to public inspection and a duly authenticated copy there of under the seal and signature of the Political Agent or, as the case may be, the Deputy Commissioner shall be forwarded to the Election Commission.

(4) The Political Agent or, as the case may be, the Deputy Commissioner may, either of his own motion or on an application made in this behalf within twenty-one days of the preparation of the electoral roll, amend the electoral roll so as to correct any error or supply any omission therein and shall inform the Election Commission of every such amendment.

4. **Annual revision of electoral rolls.**—(1) The electoral roll shall be revised and corrected annually—

(a) so as to include the name of any qualified person whose name does not appear on such roll, or

(b) so as to delete the name of any person who has died or who is or has become disqualified for enrolment, or

(c) for correcting any entry or for supply any omission in such roll:

Provided that, if, for any reason, the electoral roll for any constituency is not revised, the validity or continued operation of the electoral roll shall not thereby be affected.

(2) In the revision and correction of the electoral roll annually the same procedure shall be followed as for the preparation of an electoral roll under Article 3.

5. **Amendment of electoral rolls.**—The Chief Election Commissioner may, after necessary enquiry, at any time order—

(a) the inclusion in an electoral roll of the name of any person entitled to be enrolled on such electoral roll, and such name shall, from the date of such order, form part of the electoral roll; and

(b) the exclusion from an electoral roll of the name of any person who has died or has become ineligible to be enrolled, and such name shall, from the date of such order, stand excluded from that roll:

Provided that no amendment in the roll by way of an inclusion or exclusion of name of any correction of any entry in the roll shall be made in respect of an electoral roll after the constituency to which such roll pertains has been called upon to elect its representative or before such representative has been elected.

6. **Validity of rolls shall not be challenged.**—The validity of the electoral rolls prepared under Article 3 shall not be called in question by or before any court or other authority.

7. **Repeal.**—The Preparation of Electoral Rolls (Centrally Administered Tribal Areas) Order, 1970 (P. O. No. 13 of 1970), is hereby repealed but notwithstanding such repeal, an electoral roll for any constituency prepared under the said Order shall continue in force until the electoral roll prepared under this Order for such constituency has been prepared under Article 3.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by
ZULFIKAR ALI BHUTTO,
Prime Minister.

Z. A. CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 9th June, 1975

No. F. 24 (1)|75-Pub.—The following Order made by the President on the 6th June, 1975 is hereby published for general information :—

PRESIDENT'S ORDER NO. 2 OF 1975

WHEREAS, in pursuance of clause (1) of Article 160 of the Constitution, the President, by the Finance Division Notification No. SRO 158 (I)|74 dated the 9th February, 1974, appointed a National Finance Commission to make recommendations, among other matters, as to the distribution between the Federation and the Provinces of the net proceeds of certain taxes ;

AND WHEREAS the said Commission has submitted its recommendations with regard to the said distribution ;

NOW, THEREFORE, in pursuance of clause (4) of Article 160 of the Constitution, the President is pleased to make the following Order :—

1. **Short title and commencement.**—(1) This Order may be called the Distribution of Revenues and Grants-in-Aid Order, 1975.

(1) It shall come into force on the first day of July, 1975.

(2) **Definition.**—In this Order, unless there is anything repugnant in the subject or context,—

(a) "net proceeds" means, in relation to any tax or duty, the proceeds thereof reduced by the cost of collection, as ascertained and certified by the Auditor-General ; and

Price : Ps. 13

[2542 Ex. Gaz.]

(b) "taxes on income" includes corporation tax but does not include taxes on income consisting of remuneration paid out of the Federal Consolidated Fund.

3. **Distribution of revenues.**—The Provincial Governments shall be assigned in each financial year a share equal to eighty per cent of the net proceeds of the following taxes and duties levied and collected by the Federal Government in that year, namely :—

(a) Taxes on income.

(b) Taxes on sales and purchases.

(c) Export duties on cotton.

4. **Allocation of shares to the Provincial Governments.**—The sum assigned to the Provincial Governments under Article 3 shall be distributed amongst the Provinces on the basis of their respective population in the percentage specified against each :—

The Punjab	60.25%
Sind	22.50%
The North-West Frontier Province	13.39%
Baluchistan	3.86%
Total ..	100%

5. **Grants-in-Aid to the Provinces.**—There shall be charged upon the Federal Consolidated Fund each year, as a grant-in-aid of the revenues of Baluchistan and the North-West Frontier Province, a sum of five crore rupees and ten crore rupees respectively.

6. **Repeal.**—Article 7 of the Distribution of Revenues Order, 1953 (GGO No. 23 of 1953), paragraphs (e) and (f) of clause (1) of Article 2 of the Distribution of Revenues and Consolidation and Repayment of Loans Order, 1962 (P. O. No. 23 of 1962), and the Distribution of Revenues Order, 1971 (P. O. No. 10 of 1971) are hereby repealed.

CHAUDHRY FAZAL ELAHI,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

CORRIGENDUM

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the* 8*th May*, 1975, *containing Ordinances No. III and IV of* 1975.]

Page 154 In line 9, *for* " taken on " *read* " taken effect on ".

CORRIGENDA

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the* 10*th April*, 1975, *containing the President's Order No. 1 of* 1975.]

Page 91 In line 9, from the bottom, *for* " WHEREAS, " *read* " WHEREAS ".

,, 92 In line 12, *for* " January, " *read* " January ".

,, ,, In line 21, *for* " there of " *read* " thereof ".

,, 93 In line 10, *for* " name of " *read* " name or ".

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the* 12*th April*, 23*rd April*, & 28*th April*, 1975 *containing Act Nos. XXXIV to XXXVII and XL to XLVI of* 1975.]

Page No. 95 In the Title line *for* " West Pakistan Ordinance" *read* " West Pakistan Rangers Ordinance ".

,, ,, 98 Sixth Line from bottom *for* " Deparment " *read* " Department ".

,, ,, ,, Seventh line from bottom *for* " Prosvincial " *read* " Provincial".

,, ,, 102 Second line from top *for* " *mutais* " *read* " *mutatis* ".

,, ,, 103 First line from top *for* " delegate all or any " *read* " delegate any ".

,, ,, 128 First line from top *for* " fraudlently " *read* " fraudulently".

,, ,, ,, Third line from top *for* " necessaries. " *read* " necessaries,".

,, ,, 130 Eleventh line from bottom *for* " by him. " *read* " by him,".

,, ,, 131 Fourteenth line from top *for* " absence " *read* " absentee ".

,, ,, ,, Eighteenth line from top *for* " 1898). " *read* " 1898),".

,, ,, 132 Tenth line from bottom *for* " fit " *read* " fit,".

,, ,, 139 Third line from bottom *for* " 1964 " *read* " 1946 ".

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 20th June, 1975

No. F. 24 (1)/75-Pub.—The following Order made by the President on the 14th June, 1975 is hereby published for general information :—

THE SENATE (MEMBERS FROM FEDERAL CAPITAL) (AMENDMENT) ORDER, 1975

PRESIDENT'S ORDER NO. 3 OF 1975

WHEREAS it is expedient to amend the Senate (Members from Federal Capital) Order, 1973 (P. O. No. 12 of 1973), for the purpose hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by paragraph (c) of clause (1) of Article 59 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Order :—

1. **Short title and commencement.**—(1) This Order may be called the Senate (Members from Federal Capital) (Amendment) Order, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 2, P. O. No. 12 of 1973.**—In the Senate (Members from Federal Capital) Order, 1973 (P. O. No. 12 of 1973), hereinafter referred to as the said Order, in Article 2,—

(*a*) in clause (1),—

(i) in paragraph (b), the words, comma and figure " enacted on the twelfth day of April, 1973 " shall be omitted ; and

Price : Ps. 19

[2687 Ex. Gaz.]

(ii) after paragraph (d), the following new paragraph shall be inserted, namely :—

"(dd) 'rules' means the rules for regulating the procedure and conduct of business of the Assembly ; " ; and

(*b*) in clause (2), after the word "Constitution", occurring twice, the words "or the rules" shall be inserted.

3. **Substitution of Articles 3, 4, 5 and 6, P. O. No. 12 of 1973.**—In the said Order, for Articles 3, 4, 5 and 6 the following shall be substituted, namely :—

"3. **Time for choosing members of Senate.**—When a seat in the Senate is to become vacant on the expiration of the term of a member, or the seat of a member has become vacant, a person to fill the seat shall be chosen within the period specified in clause (3) of Article 224 of the Constitution or, as the case may be, in clause (5) of that Article for holding an election to fill a seat in the Senate.

4. **Summoning, prorogation, etc., of the Assembly.**—(1) The President shall summon the Assembly for the purpose of choosing a member on the date and at the time and place to be specified by him :

Provided that, if a member is to be chosen when the Assembly is in session, the President shall fix the date, time and place for choosing the member and give intimation thereof to the Speaker.

(2) When the Assembly is summoned under clause (1) or, as the case may be, on the receipt of intimation by the Speaker under that clause, the Secretary shall cause to be published in the official Gazette a notification, and shall also send a notice to each member, stating the date, time and place of the sitting of the Assembly for choosing a member, in the manner provided in the rules for giving intimation to the members in respect of the summoning of the Assembly.

(3) When, after a member has been chosen, the Assembly summoned under clause (1) is prorogued by the President, the Secretary shall cause a notification thereof to be published in the official Gazette.

5. **Oath by members.**—Before proceeding to choose a member, every member who has not made oath prescribed by Article 65 of the Constitution shall make the oath and sign the Roll of Members provided for in the rules.

6. **Powers and functions of the Speaker, etc.**—(1) In addition to the powers and functions specified in this Order, the Speaker shall, so far as applicable, exercise the powers and perform the functions of the Speaker provided for in the rules.

(2) In the absence of the Speaker, the Deputy Speaker shall exercise the powers and perform the functions of the Speaker and, if the Deputy Speaker is also absent, the Assembly shall elect one of the members present as Chairman to exercise the powers and perform the functions of the Speaker."

4. **Amendment of Article 9, P. O. No. 12 of 1973.**—In the said Order, in Article 9,—

(*a*) in clause (2), for the words, brackets, figures, comma and letters "under clause (2) of Article 11 of the Senate (Election) Order, 1973 (P.O.No. 9 of 1973)" the words "from a Province" shall be substituted ; and

(*b*) in clause (5), after the word "day", the words "immediately preceding the day" shall be inserted.

5. **Amendment of Article 12, P. O. No. 12 of 1973.**—In the said Order, in Article 12,—

(*a*) in clause (1), for the word "two" the words "equal to the number of seats to be filled" shall be substituted ;

(*b*) in clause (2), for the word "two" the words "the number of seats to be filled" shall be substituted ; and

(*c*) in clause (4), for the words "two such motions" the words "as many of such motions as are equal to the number of seats to be filled" shall be substituted.

6. **Substitution of Articles 13 and 14, P. O. No. 12 of 1973.**—In the said Order, for Articles 13 and 14 the following shall be substituted, namely :—

"13. **Commencement of term of office of members.**—The term of office of a member shall commence on the day on which he makes oath under Article 65 of the Constitution.

14. **Notification, etc., in respect of members chosen.**—After a member has been chosen and made oath under Article 65 of the Constitution, the Speaker shall immediately intimate his name and the day on which he made oath to the Chief Election Commissioner, who shall notify the same in the official Gazette.".

7. **Substitution of First Schedule, P. O. No. 12 of 1973.**—In the said Order, for the First Schedule the Schedule set out in the Schedule to this Order shall be substituted.

8. **Amendment of Second Schedule, P. O. No. 12 of 1973.**—In the said Order, in the Second Schedule,—

(*i*) in paragraph 1, for sub-paragraph (b) the following shall be substituted, namely :—

"'Lobby' means the lobby where, during a division, the members of the Assembly record their votes." ;

(*ii*) in paragraph 3, for the words, brackets, commas and figure "Rules of Procedure and Conduct of Business in the National Assembly (Legislature), 1972, framed under the Interim Constitution of the Islamic Republic of Pakistan" the word "rules" shall be substituted ; and

(*iii*) in paragraph 5, for the words "two members of the Senate" the words "as many members as are equal to the number of seats to be filled" shall be substituted.

THE SCHEDULE

[*See* Article 7]

First Schedule

[*See* Article 9(3)]

NOMINATION FOR CHOOSING MEMBERS OF SENATE FORM THE FEDERAL CAPITAL

(*To be filled in by the proposer*)

(1) I,......................................(name of the proposer), a member of the National Assembly, do hereby propose the name of.......................................whose address is......................................
as a candidate for being chosen as a member of the Senate from the Federal Capital.

(2) I hereby declare that I have not subscribed to any other nomination paper as proposer or seconder.

Date............................ *Signature or thumb impression of proposer*

(*To be filled in by the seconder*)

(1) I,..............................(name of the seconder), a member of the National Assembly, do hereby second the nomination of...................................whose address is...............................
as a candidate for being chosen as a member of the Senate from the Federal Capital.

(2) I hereby certify that I have not subscribed to any other nomination paper as proposer or seconder.

Date................ *Signature or thumb impression of seconder*

(*Declaration by the person nominated*)

I,..................................Son/daughter/wife of..by religion...........................registered as voter at serial No....................................in the electoral roll for.................................electoral area in................................Tehsil.......................District......................
do hereby declare and solemnly affirm that—

(*i*) I have consented to the above nomination and that I am not subject to any disqualification for being, or being chosen as, a member of the Senate from the Federal Capital ; and *(*ii*) I believe in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him) the last of the Prophets, and that I do not recognise as a Prophet or religious reformer any person who claims to be a Prophet after Muhammad (peace be upon him).

Signature or thumb impression of the person nominated

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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*This affirmation is necessary in case of a person who declares himself to be a Muslim or his religion to be Islam. To be struck off in case of non-Muslims.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF INTERIOR, STATES AND FRONTIER REGIONS
(States and F. R. Division)

Islamabad, the 2nd July, 1975

No. F. 1 (3)-Sec. III|75.—The following Regulation made by the President on the 26th June, 1975 is hereby published for general information :—

REGULATION NO. I OF 1975

A

REGULATION

to apply certain laws to the Federally Administered Tribal Areas

WHEREAS it is expedient to apply certain laws to the Federally Administered Tribal Areas ;

NOW, THEREFORE, in exercise of the powers conferred by clause (5) of Article 247 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Regulation, namely :—

1. **Short title, extent and commencement.**—(1) This Regulation may be called the Federally Administered Tribal Areas (Application of Laws) Regulation, 1975.

(2) It extends to the whole of the Federally Administered Tribal Areas.

(3) It shall come into force at once.

2. **Application of certain laws to the Federally Administered Tribal Areas.**—The laws specified in the Schedule and, so far as may be, all rules, notifications and orders made or issued thereunder, shall apply to the whole of the Federally Administered Tribal Areas or to the parts of those Areas to which they do not already apply.

Price : Ps. 13

[2824 Ex. Gaz.]

THE SCHEDULE

Serial No.	*Short title*
1.	The Bankers' Books Evidence Act, 1891 (XVIII of 1891).
2.	The Insurance Act, 1938 (IV of 1938).
3.	The Foreign Exchange Regulation Act, 1947 (VII of 1947).
4.	The National Bank of Pakistan Ordinance, 1949 (XIX of 1949).
5.	The House Building Finance Corporation Act, 1952 (XVIII of 1952).
6.	The State Bank of Pakistan Act, 1956 (XXXIII of 1956).
7.	The Agricultural Development Bank Ordinance, 1961 (IV of 1961).
8.	The Industrial Development Bank of Pakistan Ordinance, 1961 (XXXI of 1961).
9.	The Banking Companies Ordinance, 1962 (LVII of 1962).

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by
ZULFIKAR ALI BHUTTO,
Prime Minister.

CH. FAZL-E-HAQUE,
Secretary.

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ISLAMABAD, MONDAY, JULY 7, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF INTERIOR, STATES AND FRONTIER REGIONS

(States and Frontier Regions Division)

Islamabad, the 7th July, 1975

No. F. 1(13)-Sec. VII|73.—The following Regulation made by the President on the 29th June, 1975 is hereby published for general information :—

REGULATION No. II OF 1975

A

REGULATION

to amend the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, and the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972.

WHEREAS it is expedient to amend the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, and the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972, for the purposes hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

NOW THEREFORE, in exercise of the powers conferred by clause (4) of Article 247 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Regulation :—

1. **Short title and commencement.**—(1) This Regulation may be called the Dir and Swat (Devolution and Distribution of Property and Settlement of Disputes of Immovable Property) (Amendment) Regulation, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the 12th day of April, 1972.

Price : Rs. 13

[2860 Ex. Gaz.]

2. **Amendment of the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972.**—In the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972,—

(a) in paragraph 3, for the word "President" the words "Federal Government" shall be substituted; and

(b) for paragraph 6 the following shall be substituted, namely:—

"6. The Federal Government or any person authorised by it in that behalf may at any time, of its or his own motion or otherwise, call for the record of any case or proceeding under this Regulation which is pending or in which the Provincial Government has passed an order and may pass such order in relation thereto as the Federal Government or, as the case may be, such person thinks fit:

Provided that the Federal Government may, from time to time, specify the cases or class of cases in which it desires to pass final orders:

Provided further that no order shall be passed under this sub-paragraph revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard:

Provided further that the record of any case or proceeding in which the Provincial Government has passed an order shall not be called for under this paragraph by the Federal Government or the person authorised by it—

(a) of its or his own motion, after the 30th day of September, 1975, or

(b) on the application of any aggrieved person made after the 31st day of May, 1975, or after the expiration of sixty days from the date of such order, whichever is later, excluding the time requisite for obtaining a copy of such order.

6A. The Federal Government or any person authorised by it in that behalf may, by special or general order, suspend the implementation or operation of any order of the Provincial Government under this Regulation for such period as the Federal Government or, as the case may be, such person deems fit.

6B. (1) No land in respect of which an order has been made by the Provincial Government under this Regulation shall be transferred by sale, gift or otherwise, nor shall any right or interest in such land be created or its nature be changed, until the expiration of a period of twelve months from the enactment of the Dir and Swat (Devolution and Distribution of Property and Settlement of Disputes of Immovable Property) (Amendment) Regulation, 1975, or such shorter period as the Federal Government may specify in this behalf.

(2) The transfer of any land or the creation of any right or interest therein in contravention of sub-paragraph (1) shall be void.".

3. **Amendment of the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972.**—In the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972,—

(a) in paragraph 3, in sub-paragraph (2), for the word "President" the words "Federal Government" shall be substituted;

(b) for paragraph 5 the following shall be substituted, namely:—

"5. Subject to paragraph 5B, a decision of the Provincial Government and, subject to the decision of the Provincial Government in appeal, a decision of the officer authorised in this behalf, shall be final.

5A. (1) For determination of disputes of the nature mentioned in sub-paragraph (1) of paragraph 3 which have not been inquired into by the Commission for any reason whatsoever, the Provincial Government may appoint as many officers as it deems fit.

(2) An officer appointed under sub-paragraph (1) shall decide disputes after hearing the parties and taking such evidence as the parties may like to produce.

(3) Any person aggrieved by a decision under sub-paragraph (2) may, within sixty days of the decision, excluding the time requisite for obtaining a copy of the order, submit an appeal to the Provincial Government.

(4) Subject to paragraph 5B, the order of the Provincial Government and, subject to the decision of the Provincial Government in appeal, the order of the officer appointed under sub-paragraph (1) shall be final.

5B. (1) The Federal Government, or any person authorised by it in that behalf, may at any time, of its or his own motion or otherwise, call for the record of any case or proceeding under this Regulation which is pending or in which the Provincial Government or the officer authorised by it has taken a decision and may pass such order in relation thereto as the Federal Government may or, as the case may be, such person thinks fit:

Provided that the Federal Government may from time to time specify the cases or class of cases in which it desires to pass final order:

Provided further that no order shall be passed under this sub-paragraph revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard.

(2) The record of any case or proceeding in which the Provincial Government or the officer authorised by it has passed an order shall not be called for under sub-paragraph (1) by the Federal Government or the person authorised by it—

(a) of its or his own motion, after the 30th day of September, 1975; or

(b) on the application of any aggrieved person made after the 31st day of May, 1975, or after the expiration of sixty days from the date of such order, whichever is later, excluding the time requisite for obtaining a copy of such order.

5C. The Federal Government or any person authorised by it in that behalf may, by special or general order, suspend the implementation or operation of any order of the Provincial Government or an officer authorised by it for such period as the Federal Government or, as the case may be, such person deems fit.

5D. (1) No immovable property referred to in sub-paragraph (1) of paragraph 3 shall be transferred by sale, gift or otherwise, nor shall any right or interest in such property be created or its nature be changed or the person in whose possession it is be ejected therefrom, until the expiration of a period of twelve months from the enactment of the Dir and Swat (Devolution and Distribution of Property and Settlement of Disputes of Immovable Property) (Amendment) Regulation, 1975, or such shorter period as the Federal Government may specify in this behalf.

(2) The transfer of any immovable property or the creation of any right or interest therein in contravention of sub-paragraph (1) shall be void.

4. Validation.—Every thing done, action taken or order passed on or after the twelfth day of April, 1972, in exercise of any power conferred by or under the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, or the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972, as amended by this Regulation, shall be deemed to have been validly done, taken or passed, as if this Regulation were in force on the day on which such thing, action or order was done, taken or passed.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned

ZULFIKAR ALI BHUTTO,
Prime Minister.

CH. FAZL-E-HAQUE,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF INTERIOR, STATES AND FRONTIER REGIONS

(States & F. R. Division)

Islamabad, the 22nd July, 1975

No. F. 1 (6)-Sec. III/72.—The following Regulation made by the President on the 15th July, 1975, is hereby published for general information :—

REGULATION No. III OF 1975

A

REGULATION

To apply certain laws to the Provincially Administered Tribal Areas of the North-West Frontier Province.

WHEREAS it is expedient to apply certain laws to the Provincially Administered Tribal Areas of the North-West Frontier Province :—

NOW, THEREFORE, in exercise of the powers conferred by clause (4) of Article 247 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Regulation, namely :—

1. **Short title, extent and commencement.**— (1) This Regulation may be called the Provincially Administered Tribal Areas of the North-West Forntier Province (Application of Laws) Regulation, 1975.

(2) It extends to the Provincially Administered Tribal Areas of the North-West Frontier Province.

(3) It shall come into force at once.

Price : Ps. 13

[2995 Ex. Gaz.]

2. **Application of certain laws to the Provincially Administered Tribal Areas of the North-West Frontier Province.**—The laws specified in the second column of the Schedule as in force in the North-West Frontier Province immediately before the commencement of this Regulation and, so far as may be, all rules, notifications and orders made or issued thereunder, shall apply to such of the Provincially Administered Tribal Areas of the North-West Frontier Province as are specified in the third column of the Schedule.

THE SCHEDULE

[*See* section 2]

S. No.	Laws	Extent of application
1	2	3
1.	The Negotiable Instruments Act, 1881 (XXVI of 1881).	Districts of Chitral, D. and Swat and Malakand Protected Area.
2.	The Bankers' Books Evidence Act, 1891 (XVIII of 1891).	Do.
3.	The Dangerous Drugs Act, 1930 (II of 1930).	Do.
4.	The Insurance Act, 1938 (IV of 1938).	Do.
5.	The National Bank of Pakistan Ordinance, 1949 (XIX of 1949).	Do.
6.	The House Building Finance Corporation Act, 1952 (XVIII of 1952).	Do.
7.	The State Bank of Pakistan Act, 1956 (XXXIII of 1956).	Do.
8.	The Agricultural Development Bank of Pakistan Ordinance, 1961 (IV of 1961).	Do.
9.	The Industrial Development Bank of Pakistan Ordinance, 1961 (XXXI of 1961).	Do.
10.	The Banking Companies Ordinance, 1962 (LVII of 1962).	Do.
11.	The Customs Act, 1969 (IV of 1969).	Do.
12.	The National Registration Act, 1973 (LVI of 1973).	Do.
13.	The North-West Frontier Constabulary Act, 1915 (XIII of 1915).	All the Provincially Administered Tribal Areas of the North-West Frontier Province.

1	2	3
14.	The Foreign Exchange Regulation Act, 1947 (VII of 1947).	All the Provincially Administered Tribal Areas of the North-West Frontier Province.
15.	The Central Government Lands and Buildings (Recovery of Possession) Ordinance, 1965 (LIV of 1965).	Do.

FAZAL ELAHI CHAUDHRY
President.

Countersigned by

ZULFIKAR ALI BHUTTO,
Prime Minister.

MASRUR HASAN KHAN,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 6th October, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 2nd October, 1975, is hereby published for general information :—

ORDINANCE No. XVIII OF 1975

AN

ORDINANCE

to provide for the regulation of the functioning of foreign cultural associations

WHEREAS it is expedient to provide for the regulation of the functioning of foreign cultural associations ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Foreign Cultural Associations (Regulation of Functioning) Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

Price : Ps. 19

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) " foreign cultural association " means an association, by whatever name called, having as its object the promotion of cultural and friendly relations between Pakistan and a foreign country, and includes a branch of such association ; and

(b) " prescribed " means prescribed by rules made under section 15.

3. **Formation of foreign cultural associations.**—(1) No foreign cultural association shall be formed with the object of, or engage itself in, propagating any opinion, or acting in any manner, prejudicial to the ideology, integrity, security, constitution or system of Government of Pakistan or Pakistan's relations with any foreign country or contrary to morality or any law for the time being in force.

(2) A foreign cultural association shall have only one head office, but may, with the prior permission in writing of the Federal Government, set up a branch at the principal seat of a Provincial Government.

(3) Every foreign cultural association shall appoint its President with the approval of the Federal Government in the prescribed manner.

(4) No new foreign cultural association shall be set up or shall start functioning unless registered by the Federal Government and such registration may be granted subject to such conditions as the Federal Government may specify.

(5) An existing foreign cultural association shall apply in the prescribed manner for registration within one month of the coming into force of the rules to be made under this Ordinance and the Federal Government may grant registration subject to such conditions as it may specify.

4. **Responsibilities of foreign cultural association.**—(1) Every foreign cultural association shall—

(a) maintain audited accounts in the prescribed manner ;

(b) pay all moneys received by it into a separate account kept in its name at a bank which is a scheduled bank within the meaning of the State Bank of Pakistan Act, 1956 (XXXIII of 1956) ;

(c) submit to the Federal Governmnet such information relating to its accounts and affairs as the Federal Government may from time to time require.

(2) Any officer authorised in this behalf by the Federal Government may at all reasonable times inspect the books of account and other records of a foreign cultural association, the securities, cash and other properties held by the association, and all documents relating thereto.

5. **Dissolution of foreign cultural association.**—(1) No foreign cultural association shall be dissolved otherwise than in accordance with its constitution or with the provision of sub-sections (2) and (3).

(2) Not less than sixty per cent of the members of a foreign cultural association may make an application to the Federal Government in the prescribed manner for making an order for the dissolution of the association.

(3) If an application is made to it under sub-section (2), or if it has reason to believe that a foreign cultural association has acted or is acting in contravention of its constitution or of the provisions of section 3, the Federal Government may, by order in writing after giving the association an opportunity of being heard, direct that the association shall stand dissolved on and from such date as may be specified in the order.

(4) Where an order of dissolution has been made otherwise than on an application made under sub-section (2), the foreign cultural association to which the order relates or any member thereof aggrieved by the order may apply to the Federal Government for a review of the order; and the order of the Federal Government passed after giving the applicant an opportunity of being heard shall be final and shall not be questioned, or be permitted to be questioned, by or before any court.

(5) Subject to any order of the Federal Government in review under sub-section (4), the dissolution of a foreign cultural association in pursuance of an order of the Federal Government under sub-section (3) shall be deemed to be a dissolution in accordance with the provisions of the constitution of the association and the affairs of the association shall be wound up in accordance with those provisions.

6. **Consequences of dissolution.**—Where any foreign cultural association is dissolved, the association or any of its members shall not engage itself or himself in any activities other than such as may be necessary for the winding up of its affairs.

7. **Government servant not to become member of a foreign cultural association.**—Without prejudice to the provisions of any law for the time being in force, no person in the service of the Federal Government or a Provincial Government shall, without the prior permission in writing of such Government, become a member or office-bearer of any foreign cultural association.

8. **Members not to obtain pecuniary advantage.**—No member of a foreign cultural association shall, by virtue of being such member, obtain any pecuniary advantage for himself or any other person.

9. **Acceptance of foreign assistance.**—No foreign cultural association shall, without the pevious permission in writing of the Federal Government accept any assistance or aid, in any form whatever, from the government or any other authority, body or organization of a foreign country or from a national thereof.

10. **Financial assistance by foreign cultural association prohibited.**—No foreign cultural association, nor any member of such association, shall, directly or through any other person, make any contribution of money or other thing of value, or promise, expressly or impliedly, to make any such contribution in connection with an election to a political office or in connection with any election to the National Assembly, the Senate or a Provincial Assembly.

11. **Destruction, etc., of books and records prohibited.**—No person shall wilfully conceal, destroy, obliterate or mutilate, or attempt to conceal, destroy, obliterate or mutilate, or cause to be concealed, destroyed, obliterated or mutilated, any books or records of any foreign cultural association required to be kept under this Ordinance.

12. **Filling of copies of political propaganda.**—Every foreign cultural association which, and every member of such association who, transmits by post or otherwise any political propaganda for or in the interests of such association in the

form of prints or in any other form which is reasonably adapted to being, or which it or he believes will be, or which it or he intends to be, disseminated or circulated among two or more persons shall—

(a) conspicuously mark such political propaganda at its beginning with or preface it by or attach to it, a true and accurate statement, in the language used in such propaganda, setting forth the connection or relationship between the association or, as the case may be, such member and the political propaganda ; and

(b) not later than forty-eight hours after its transmission, file with the Federal Government two copies thereof and a statement, duly signed by a member on behalf of the association or by such member on his own behalf setting forth full information as to the places, times and extent of such transmission.

Explanation.—In this section, " political propaganda " includes any oral, visual, graphic, written, pictorial or other communication or expression by any person which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, convert, induce, or in any other way influence a recipient or any section of the public within Pakistan with reference to the political or public interests, policies or relations of the government of a foreign country or a foreign political party or with reference to the foreign policies of Pakistan or promote in Pakistan racial, parochial, religious or social dissension, or which advocates, advises, instigates or promotes any racial, parochial, social, political or religious disorder, civil riot or other conflict involving the use of force or violence or the overthrow of the Government established by law in Pakistan, by any means involving the use of force or violence.

13. **Penalties and procedure.**—(1) Any person who—

(a) contravene s or does not comply with, any of the provisions of this Ordinance or any rule or order made thereunder ;

(b) is a member or office-bearer of a foreign cultural association formed or functioning in contravention of section 3 ; or

(c) in any report or statement submitted under this Ordinance to the Federal Government or other authority, makes any false statement or false representation ;

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

(2) No court shall take congnizance of an offence under this Ordinance except upon a complaint in writing made by or under the authority of the Federal Government.

14. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Ordinance.

15. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Ordinance.

16. **Delegation of powers.**—The Federal Government may, by order, direct that any power conferred on it by this Ordinance shall, in such circumstances and subject to such conditions, if any, as may be specified in the direction, be exercisable also—

(a) by any officer or authority subordinate to the Federal Government ; or

(b) by any other Provincial Government or by any officer or authority subordinate to such Government.

FAZAL ELAHI CHAUDHRY,
President.

Countersiged by

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

CORRIGENDA

[to the Extraordinary Gazettes, Part I, dated the 28th August, 1975 and 17th September, 1975, containing Ordinances, Nos. IX, X and XII of 1975.]

Page 483	:	In line 12, ***for*** " (7) " *read* " (6) ".
Page 490	:	In line 15, ***for*** " four " *read* " three ".
Page 510	:	In line 18, *for* " perfom " *read* " perform ".
	:	In line 31, *for* " requirement ." *read* " requirement ".
Page 512	:	In the First Schedule, in line 22, *for* " iaega " *read* " Jaega ".
	:	In the First Schedule, in line 23, *for* " hukm " *read* " hukam ".

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 11*th October,* 1975

No. F. 24 (1)|75 Pub.—The following Ordinance made by the President on the 3rd October, 1975, is hereby published for general information :—

PRESIDENT'S ORDER No. XIX OF 1975

AN

ORDINANCE

further to amend the Industrial Relations Ordinance, 1969

WHEREAS it is expedient further to amend the Industrial Relations Ordinance, 1969 (XXIII of 1969), for the purpose hereinafter appearing :

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Industrial Relations (Amendment) Ordinance, 1975.

Price : Ps. 6

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of section 1, Ordinance XXIII of 1969.**—In the Industrial Relations Ordinance, 1969 (XXIII of 1969), in section 1, in sub-section (3), after the word "Departments" at the end, the words "or to any person employed as a member of the security staff of the Pakistan International Air Lines Corporation" shall be inserted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA.
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 21st October, 1975

No. F. 24 (1)|75-Pub.—The following ordinance made by the president on the 17th October, 1975, is hereby published for general information :—

ORDINANCE No. XX OF 1975

AN

ORDINANCE

to repeal and re-enact the law relating to the preservation and protection of antiquities

WHEREAS it is expedient to repeal and re-enact the law relating to the preservation and protection of antiquities and to provide for matters connected therewith or ancillary thereto ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Antiquities Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

Price : Ps. 25

[4800 Ex. Gaz.]

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) " Advisory Committee " means the Advisory Committee constituted under section 3 ;

(b) " ancient " means belonging or relating to any period prior to May, 1857 ;

(c) " antiquity " means—

  (i) any ancient product of human activity, movable or immovable, illustrative of art, architecture, craft, custom, literature, morals, politics, religion, warfare or science or of any aspect of civilization or culture,

  (ii) any ancient object or site of historical, ethnographical, anthropological, military or scientific interest,

  (iii) any national monument, and

  (iv) any other object or class of such objects declared by the Federal Government, by notification in the official Gazette, to be an antiquity for the purposes of this Ordinance ;

(d) " dealer " means a person engaged in the business of buying and selling antiquities ; and " deal in antiquities " means to carry on such business ;

(e) " Director " means the Director of Archaeology, Government of Pakistan, and includes an officer authorised by him to exercise or perform all or any of the powers or functions of the Director under this Ordinance ;

(f) " export " means taking out of Pakistan by land, sea or air ;

(g) " immovable antiquity " means an antiquity of any of the following descriptions, namely :—

  (i) any archaeological deposit on land or under water,

  (ii) any archaeological mound, tumulus, burial place or place of interment, or any ancient garden, structure, building, erection or other work of historical, archaeological, military or scientific interest,

  (iii) any rock, cave or other natural object of historical, archaeological, artistic or scientific interest or containing sculpture, engraving, inscription or painting of such interest, and includes—

    (1) any gate, door, window, panelling, dado, ceiling, inscription, wall-painting, wood work, metal work or sculpture or any other thing which is attached or fastened to an immovable antiquity ;

    (2) the remains of an immovable antiquity ;

    (3) the site of an immovable antiquity ;

    (4) such portions of land or water adjoining the site of an immovable antiquity as are reasonably required for fencing or covering or otherwise preserving such antiquity ;

(5) the reasonable means of access to, and convenient inspection of an immovable antiquity ; and

(6) any urban site, street, group of buildings or public square of special value which the Federal Government, being of the opinion that its preservation is a matter of public interest by reason of its arrangement, architecture or materials of construction, by notification in the official Gazette, declares to be an immovable antiquity for the purposes of this Ordinance ;

(h) " national monument " means any building, structure, erection, place of interment, garden, portion of land or any other place or thing of national importance as may be determined and notified as such from time to time by the Federal Government in consultation with the Advisory Committee ;

(i) " owner " includes—

(i) any person legally competent to act on behalf of the owner, when by reason of infancy or other disability the owner is unable to act ;

(ii) a joint owner invested with powers of management on behalf of himself and other joint owners and the successor in interest of such owner ; and

(iii) any manager or trustee exercising the powers of management and the successor in office of such manager or trustee ;

(j) " protected antiquity " means an antiquity which is declared under section 10 to be a protected antiquity ; and

(k) " rules " means rules made under this Ordinance.

3. **Advisory Committee.**—(1) For the purposes of this Ordinance, the Federal Government shall constitute an Advisory Committee consisting of the following members, namely :—

(a) the Director, who shall also be its Chairman ;

(b) two members of the National Assembly, to be elected by that Assembly ;

(c) three other persons having special knowledge of antiquities, to be nominated by the Federal Government.

(2) No act or proceeding of the Advisory Committee shall be deemed to be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Committee.

4. **Dispute as to whether any product, etc., is an antiquity.**—If any question arises whether any product, object or site is an antiquity within the meaning of this Ordinance, it shall be referred to the Federal Government which shall, after consultation with the Advisory Committee, decide the same ; and the decision of the Federal Government shall be final.

5. **Custody, preservation, etc., of certain antiquities.**—(1) Where the Director receives any information or otherwise has the knowledge of the discovery or existence of an antiquity of which there is no owner, he shall, after satisfying himself as to the correctness of the information or knowledeg, take such steps as he

may consider necessary for the custody, preservation and protection of the antiquity.

(2) Where the owner of an antiquity is not traceable, the Director may, with the approval of the Federal Government, take such steps as he may consider necessary for the custody, preservation and protection of the antiquity.

6. **Power of entry, inspection, etc.**—(1) The Director may, after giving reasonable notice, enter into, inspect and examine any premises, place or area which or the sub-soil of which he may have reason to believe to be, or to contain an antiquity and may cause any site, building, object, or any antiquity or the remains of any antiquity in such premises, place or area to be photographed, copied or reproduced by any process suitable for the purpose.

(2) The owner or occupier of the premises, place or area shall afford all reasonable opporunity and assistance to the Director for the purposes of sub-section (1).

(3) No photograph, copy or reproduction taken or made under or for the purposes of sub-section (1) shall be sold or offered for sale except by or with the consent of the owner of the object of which the photograph, copy or reproduction has been taken or made.

(4) Where substantial damage is caused to any property as a result of the inspection under sub-section (1), the Director shall pay to the owner thereof reasonable compensation for the damage.

7. **Acquisition of land containing antiquities.**—If the Federal Government has reasonable grounds to believe that any land contains any antiquity, it may direct the Provincial Government to acquire such land or any part thereof ; and the Provincial Government shall thereupon acquire such land or part under the Land Acquisition Act, 1894 (I of 1894), as for a public purpose.

8. **Purchase, taking lease, etc., of antiquity.**—(1) The Director may, with the previous sanction of the Federal Government, purchase, or take lease or accept a gift or bequest of, an antiquity.

(2) The Director may receive voluntary contributions and donations for the acquisition, preservation or restoration of antiquities and may make suitable arrangements for the management and application of the fund created by such contributions and donations :

Provided that a contribution or donation made for any specified purpose shall not be applied to any purpose other than that for which it has been made.

9. **Right of pre-emption in case of a sale of antiquity.**—(1) Where the Director receives any information or otherwise has the knowledge that any antiquity or any immovable property containing an antiquity is offered for sale or is about to be sold, he may, with the approval of the Federal Government, exercise the right of pre-emption with respect to such antiquity or property and, if he intends to exercise the right, shall give to the person competent to sell a notice in writing accordingly.

(2) If the Director does not exercise with respect to any antiquity or property the right of pre-emption within a period of three months from the date of notice

given under sub-section (1), the antiquity or property may be sold to any person after the expiry of the said period and a notice of such sale shall be given to the Director.

(3) Save as provided in sub-section (2), no antiquity or property in respect of which a notice under sub-section (1) has been given shall be sold to any person.

(4) All sales in contravention of sub-section (3) shall be void and the antiquity or property so sold shall be forfeited to the Federal Government.

10. **Declaration of protected antiquities.**—(1) The Federal Government may, by notification in the official Gazette, declare any antiquity to be a protected antiquity for the purposes of this Ordinance.

(2) A copy of a notification under sub-section (1) shall be served on the owner of the antiquity an, in the case of an immovable antiquity, shall also be fixed up in a conspicuous place of or near the antiquity.

(3) A notification under sub-section (1) shall, unless it is cancelled by the Federal Government, be conclusive evidence of the fact that the antiquity to which it relates is a protected antiquity for the purposes of this Ordinance.

(4) Antiquities declared to be protected antiquities under the Antiquities Act, 1968 (XIV of 1968), and ancient monuments deemed to be protected antiquities for the purposes of that Act, shall be deemed to be protected antiquities for the purposes of this Ordinance.

11. **Representation against declaration of protected antiquities.**—(1) The owner of an antiquity to which a notification under section 10 relates, or any person having any right or interest in the antiquity, may, within three months of the service of a copy of the notification, make a representation in writing to the Federal Government against the notification.

(2) Upon the receipt of a representation under sub-section (1) against a notification, the Federal Government, after giving the person making it an opportunity of being heard and after consultation with the Advisory Committee, may, if it is satisfied that there are good and sufficient reasons for objection to the notification, cancel it.

12. **The guardianship of antiquity by agreement.**—(1) The owner of any immovable antiquity or protected antiquity may, by an agreement in writing constitute the Director the guardian of such antiquity and the Director may, with the previous sanction of the Federal Government, accept such guardianship.

(2) Where the Director has accepted the guardianship of an antiquity in pursuance of an agreement under sub-section (1), the owner shall, except as expressly provided in this Ordinance and in the agreement, have the same right, title and interest in and to the antiquity as if the Director had not been constituted the guardian thereof.

(3) An agreement under this section in relation to an antiquity may provide for all or any of the following matters, namely :—

(a) the maintenance of the antiquity ;

(b) the custody of the antiquity and the duties of any person who may be employed to watch it ;

(c) the restrictions upon the right of the owner to alienate, destroy, remove, alter or deface the antiquity or to build on or near the site of the antiquity ;

(d) the facilities of access to be allowed to the public ;

(e) the facilities to be allowed to persons deputed by the owner or the Director for inspection and maintenance of the antiquity ;

(f) the expenses to be incurred in connection with the preservation of the antiquity and payment of such expenses if incurred by the owner ;

(g) compensation to be paid for any loss sustained by the owner or occupier or any other person as a result of the enforcement or observance of the agreement ; and

(h) any other matter connected with the custody, management and preservation of the antiquity.

(4) The terms of an agreement under this section may be altered from time to time with the sanction of the Federal Government and with the consent of the owner.

(5) An agreement under this section in relation to an antiquity may be terminated upon six months' notice in writing given by the Director, with the previous sanction of the Federal Government, to the owner or by the owner to the Director.

13. **Purchasers at certain sales and persons claiming through owner bound by agreement entered into by owner.**—Notwithstanding anything contained in any other law for the time being in force, every person who, at a sale for the recovery of arrears of land revenue or any other public demand, purchases any land or property, or any right or interest in land or property, which contains, or in which is situated an antiquity in respect of which an agreement under section 12 subsists, and every person claiming any title to any antiquity from, through or under an owner who entered into such agreement, shall be bound by such agreement.

14. **Application of endowment for maintenance and preservation of antiquity.**—(1) Where any endowment has been created for the maintenance and preservation of any protected antiquity, or for that purpose among others, and the owner or other person competent in this behalf fails in the proper application of such endowment and, when proposed to him by the Director, refuses or fails to enter into an agreement under section 12, the Director may, for the proper application of such endowment or part thereof, institute a suit in the Court of the District Judge, or, where the estimated cost of maintaining and preserving the antiquity does not exceed one thousand rupees, make an application to the District Jugde.

(2) On the hearing of an application under sub-section (1), the District Judge may summon and examine the owner and any person whose evidence appears to him necessary, and may pass an order for the proper application of the endowment or of any part thereof, and any such order may be executed as if it were the decree of a Civil Court.

15. **Compulsory acquisition of protected immovable antiquity.**—(1) If the Federal Government apprehends that a protected immovable antiquity is in danger of being destroyed, injured or allowed to fall into decay, it may, after consultation with the Advisory Committee, direct the Provincial Government to acquire such antiquity or any part thereof; and the Provincial Government shall thereupon acquire such antiquity or part under the Land Acquisition Act, 1894 (I of 1894), as for a public purpose.

(2) The power of compulsory acquisition under sub-section (1) shall not be exercised in the case of—

(a) any antiquity which or any part of which is periodically used for religious observances; or

(b) any antiquity which is the subject of a subsisting agreement under section 12; or

(c) any other antiquity unless the owner or other person competent in this behalf has, when proposed to him by the Director, failed to enter into an agreement under section 12 within such period, not being less than six months, as the Director may fix.

16. **Compulsory acquisition of movable antiquities.**—(1) If the Federal Government is of the opinion that any movable antiquity should, by reason of its cultural, historical or archaeological importance, be acquired for the purpose of preservation, the Federal Government may, by order in writing addressed to the owner, acquire such antiquity:

Provided that the power to acquire under this sub-section shall not extend to —

(a) any image or symbol in actual use for the purpose of any religious observance; or

(b) anything which the owner desires to retain on any reasonable ground personal to himself or to any of his ancestors or to any member of his family.

(2) When an order under sub-section (1) has been served upon the owner, the antiquity to which the order relates shall immediately vest in the Federal Government free from all encumbrances and the owner shall be entitled to compensation, the amount of which shall be determined in the manner, and in accordance with the principles, hereinafter set out, that is to say,—

(a) where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement;

(b) where no such agreement can be reached, the Federal Government shall appoint as arbitrator a person who has been, or is qualified for appointment as, a Judge of a High Court;

(c) at the commencement of the proceedings before the arbitrator, the Federal Government and the person to be compensated shall state what in their respective opinions is a fair amount of compensation;

(d) the arbitrator in making his award shall have regard to the price which the antiquity is likely to fetch on a sale in open market between a buyer and a seller independent of each other;

(e) an appeal shall lie to the High Court against any award of an arbitrator except in case where the amount thereof does not exceed an amount prescribed in this behalf by rules ; and

(f) save as provided in this sub-section and in any rules made in this behalf, nothing in any law for the time being in force shall apply to arbitrations under this sub-section.

17. **Protection of place of worship from misuse, etc.**—(1) A place of worship or shrine, being an antiquity maintained by the Federal Government, shall not be used for any purpose inconsistent with its character.

(2) A place of worship or shrine in respect of which the Director has accepted guardianship in pursuance of an agreement under section 12 shall, unless the agreement otherwise provides, be maintained by the person in whom it is vested or, if there is no such person, by the Federal Government.

(3) Where any antiquity in respect of which the Federal Government has acquired any right under this Ordinance or the Director has accepted guardianship is periodically used for religious worship or observances by any community, the Director shall provide for the protection of such antiquity from pollution or desecration—

(a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the person in charge of the antiquity, of any person not entitled so to enter by the religious usages of the community by which the antiquity is used ; and

(b) by taking with the concurrence of the person in charge of the antiquity such other action as he may think necessary for the purpose.

(4) Whoever contravenes the provisions of sub-section (3) shall be punishable with imprisonment for a term which may extend to three months, or with fine, or with both.

18. **Restriction on use of protected immovable antiquity.**—A protected immovable antiquity shall not be used for any purpose inconsistent with its character or for a purpose other than that directly related to its administration and preservation.

19. **Prohibition of destruction, damage, etc., of protected antiquities.**—(1) No person shall, except for carrying out the purposes of this Ordinance, destroy, break, damage, alter, injure, deface or mutilate or scribble, write or engrave any inscription or sign on, any antiquity or take manure from any protected antiquity.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) The court trying an offence under sub-section (2) may direct that the whole or any part of the fine recovered shall be applied in defraying the expenses of restoring the antiquity to the condition in which it was before the commission of the offence.

20. **Restritcion on repairs, renovation, etc., of protected immovable antiquity.**—(1) The owner of a protected immovable antiquity shall not make any alteration or renovation in, or addition to, the antiquity :

Provided that he may, with the permission of the Director, make minor adjustments considered necessary for the day to day use of the antiquity:

Provided further that the work for which permission has been given shall be carried out under the supervision of the Director or a person authorised by him in this behalf.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to one year, or with fine, or with both.

21. **Direction to the owner to take measures for preservation of antiquity.**—(1) Where the Director considers that any antiquity is not being preserved or conserved properly by its owner, the Director may, by order in writing, direct the owner to take such measures for its proper preservation and conservation, and within such time, as may be specified in the order.

(2) If the owner fails to take the measures specified in the order referred to in sub-section (1), the Director may take all such measures in respect of the antiquity and the expenses incurred for the purpose shall be recoverable from the owner as an arrear of land revenue.

22. **Execution of development schemes and new constructions in proximity to immovable antiquity.**—Notwithstanding anything contained in any other law for the time being in force, no development plan or scheme or new construction on, or within a distance of two hundred feet of, a protected immovable antiquity shall be undertaken or executed except with the approval of the Director.

23. **Prohibition of bill posting, neon signs, other kinds of advertisements, etc.**—(1) No person shall put any neon signs or other kinds of advertisement, including bill posting, commercial signs, poles or pylons, electricity or telephone cables and television aerials, on or near any protected immovable antiquity.

(2) Whoever contravenes the provision of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

(3) The court trying an offence under sub-section (2) may direct that the whole or any part of the fine recovered shall be applied in defraying the expenses of restoring the antiquity to the condition in which it was before the commission of the offence.

24. **Penalty for counterfeiting, etc., of antiquity.**—(1) Whoever counterfeits, or commits forgery in respect of any antiquity with intent to commit fraud or knowing it to be likely that fraud will thereby be committed, or causes anything to appear like, or to be believed to be, an antiquity with intent to cause wrongful gain to one person or wrongful loss to another person, shall be punishable with imprisonment for a term which may extend to six months or with fine, or with both.

(2) The court trying an offence under sub-section (1) may direct that anything the making or forging of which has constituted such offence shall stand forfeited to the Federal Government.

25. **Dealing in antiquities.**—(1) No person shall deal in antiquities except under, and in accordance with, a licence granted by the Director.

(2) Every dealers shall maintain a register in such manner and form as the Director may prescribe from time to time.

(3) A licence granted under sub-section (1) may be cancelled by the Director for the breach of any condition of the licence.

(4) The Director may, with a view to securing compliance with the provisions of this section,—

(a) require any person dealing in antiquities to give such information in his possession with respect to any business carried on by him as the Director may demand ;

(b) inspect or cause to be inspected any book, register or other document belonging to or under the control of any person dealing in antiquities ; and

(c) enter and search, or authorise any officer subordinate to him to enter and search, any premises and seize, or authorised any such officer or a police officer, to seize, any antiquity in respect of which he has reason to believe that a contravention of any provision of this section or a breach of any condition of the licence has been committed.

(5) Whoever contravenes the provisions of this section shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(6) The court trying an offence under sub-section (5) may direct that any antiquity in respect of which the offence has been committed shall stand forfeited to the Federal Government.

26. **Export of antiquities.**—(1) No person shall export any antiquity except under a licence to be granted by the Director—

(a) for the temporary export of antiquities for the purpose of exhibition, examination or treatment for preservation ; or

(b) in accordance with agreements with foreign licences for archaeological exploration and excavations within the term of their licences ; or

(c) for the export of antiquities which are not of a unique nature in exchange for antiquities of any foreign country.

(2) All antiquities the export of which is prohibited under sub-section (1) shall be deemed to be goods of which the export has been prohibited under section 16 of the Customs Act, 1969 (IV of 1969), and all the provisions of that Act shall have effect accordingly, except that the antiquity in respect of which the provisions of that Act have been contravened shall be confiscated where confiscation is authorised under that Act.

27. **Traffic in movable antiquities.**—(1) If the Federal Government apprehends that movable antiquities in any place in Pakistan are being sold or removed to the detriment of Pakistan, it may, by notification in the official Gazette, prohibit or restrict the movement of any such antiquity or any class of such antiquities for such period and between such places in Pakistan as may be specified in the notification, except with, and in accordance with the terms of, the written permission of the Director.

(2) Whoever contravenes the provisions of a notification under sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) The court trying an offence under sub-section (2) may direct that any antiquity in respect of which the offence has been committed shall stand forfeited to the Federal Government.

28. **Regulation of mining, quarrying, etc.**—(1) If the Federal Government is of the opinion that for the purpose of protecting or preserving any immovable antiquity it is necessary so to do, it may, by notification in the official Gazette, prohibit or restrict, within such area as may be specified therein, mining, quarrying, excavating, blasting and other operations of a like nature, or the movement of heavy vehicles, except under and in accordance with the terms of a licence granted by the Director and rules, if any, made in this behalf.

(2) Any owner or occupier of land who sustains any loss by reason of any prohibition or restriction by a notification under sub-section (1) shall be paid reasonable compensation for such loss.

(3) Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

29. **Prohibition of archaeological excavation or exploration without licence.**—(1) No person shall make on any land any excavation or exploration for archaeological purposes, or unearth or attempt to unearth or make any digging in any land or site for taking out antiquities, except under, and in accordance with, a licence granted by the Director.

(2) A licence under sub-section (1) in respect of any land shall not be granted to any person other than the owner of the land except in accordance with the term of an agreement with the owner, and any such agreement may provide for—

(a) the restriction of the owner's rights in respect of the use and occupation of such land;

(b) the compensation or any other consideration to be paid to the owner; and

(c) any other matter connected with the use of the land for the purpose of such excavation.

(3) A licence under sub-section (1) shall not be refused to an owner if he undertakes to carry on the excavation in such manner that it will not result in the loss of archaeological or historical material which in the national interest should be preserved.

(4) Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

(5) The court trying an offence under sub-section (4) may direct that any object found in the course of an excavation, exploration, unearthing or digging constituting such offence shall stand forfeited to the Federal Government.

30. **Prohibition of making copies of protected antiquities without licence.**—No person shall, for any commercial purpose, make a cinematograph film of any protected antiquity or any part thereof except under, and in accordance with, a licence granted by the Director.

31. **Right of access to protected immovable antiquities.**—Subject to the provisions of this Ordinance and the rules, the public shall have a right of access to any immovable protected antiquity maintained by the Federal Government under this Ordinance.

32. **Penalty.**—A contravention of any provision of this Ordinance or the rules shall, where no punishment has been specifically provided, be punishable with rigorous imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

33. **Jurisdiction to try offences.**—No court shall take cognizance of an offence punishable under this Ordinance except upon a complaint in writing made by an officer generally or specially empowered in this behalf by the Federal Government and no court inferior to a Court of Session shall try any such offence.

34. **Power to arrest without warrant.**—(1) The Director or any officer duly empowered by him in this behalf may arrest without warrant any person against whom reasonable suspicion exists of his having committed any offence under section 19, 25, 26, 27, or 29.

(2) Subject to sub-section (3), every person arrested under sub-section (1) shall be taken forthwith to the officer-in-charge of the nearest police station.

(3) The Director or the officer arresting any person, or the officer-in-charge of a police station to whom any person is taken under sub-section (2), shall either admit him to bail to appear before the Magistrate having jurisdiction or have him taken in custody before such Magistrate.

35. **Confiscated antiquities to be made over to Director.**—Any antiquity which is confiscated or forfeited under this Ordinance shall be made over to the Director for custody, preservation and protection.

36. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against Government or any person for any thing which is in good faith done or intended to be done under this Ordinance.

37. **Power to make rules.**—(1) The Federal Government may, after previous publication, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the form and the conditions of any licence granted under this Ordinance;

(b) regulation of admission of the public to any immovable protected antiquity;

(c) the levy of fees for the grant of any licence under this Ordinance and for admission of the public to an immovable protected antiquity;

(d) the procedure to be followed in arbitrations, the principles to be followed in apportioning the costs of proceedings before the arbitrator and on appeal, and the maximum amount of an award against which no appeal shall lie, under sub-section (2) of section 16;

(e) such other matters as are or may be required for carrying into effect the provisions of this Ordinance.

(3) Rules made under this section may provide that the contravention of any of the provisions thereof or of any condition of a licence granted under this Ordinance shall be punishable with fine which may extend to five hundred rupees.

38. **Repeal.**—The Antiquities Act, 1968 (XIV of 1968), is hereby repealed.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

CORRIGENDA

[to the Gazette of Pakistan, *Extraordinary, Part I, dated the* 11*th October*, 1975, *containing Ordinance No. XIX of* 1975.]

Page 547 : In line 9, *for* " PRESIDENT'S ORDER NO. XIX of 1975 " *read* " ORDINANCE NO. XIX of 1975 ".

: In 14, *for* " appearing : " *read* " appearing ; ".

[to the Gazette of Pakistan, *Extraordinary, Part I, dated the* 30*th September*, 1975 *and the* 6*th October*, 1975, *containing Ordinance Nos. XVI and XVIII of* 1975, *respectively.*]

Page 538 : In line 5, *for* " sub-section (i) " *read* " sub-section (1)".

Page 542 : In line 32, *for* " Governmnet " *read* " Government ".

: In line 4, from the bottom, *for* " provision " *read* " provisions ".

Page 543 : In line 33, *for* " pevious " *read* " previous ".

: In line 3, from the bottom, *for* " Filling " *read* " Filing ".

Page 545 : In line 7, *for* " other Provincial " *read* " Provincial ".

: In line 11, *for* " *Countersiged* " *read* " *Countersigned*".

[to the Gazette of Pakistan, *Extraordinary, Part I, dated the* 23rd *September* 1975, *containing Ordinance No. XV of* 1975.]

Page 520 : In line 14, from the bottom, *for* " hydroulic," *read* " hydraulic,".

: In line 13, from the bottom, *for* " aeronoutical " *read* ' aeronautical ".

Page 521 : In lines 24 & 25, *for* " them-seleves " *read* " them-selves ".

Page 522 : In line 21, *for* " " on hundred " " *read* " " one hundred " ".

: In the second line, from the bottom, *for* " diciplinary "*read* "disciplinary ".

Page 523 : In line 25, *for* " the Ordinance " *read* " this Ordinance ".

: In line 29, *for* " shall " *read* " shall,".

Page 524 : In line 13, from the bottom, *for* " nation " *read* " nations ".

Page 525 : In line 11, *for* " engeineering " *read* " engineering ".

: In line 15, *for* " persons," *read* " persons ".

: In line 5, from the bottom, *for* " resorted " *read* " restored ".

Page 526 : In line 8, from the bottom, *for* " member " *read* " members ".

: In line 7, from the bottom, *for* " the less " *read* " not less' .

Page 527 : In line 24, *for* " complaint " *read* " complainant ".

: In line 7, from the bottom, *for* " **Tribunal.—**" *read* " **Tribunal.— (1)** ".

Pgae 528 : In line 4, *for* " section " *read* " sections ".

: In line 12, *for* " is " *read* " it ".

: In line 24, *for* " manenr " *read* " manner ".

Page 529 : In line 11, from the bottom, *for* " Ordinance or," *read* " Ordinance, or ".

Page 530 : In line 6, *for* " practice " *read* " practise ".

: In line 31, *for* " (e) " *read* " (c) ".

: In line 9, from the bottom, *for* " if may " *read* " it may ".

: In line 5, from the bottom, *for* " enforec "*read* " enforce".

Page 531 : In the First Schedule, in line 2, *for* " section " *read* " sections ".

: In the First Schedule, in line 5, *for* " Eengineering " *read* " Engineering".

: In line 2 of the second Schedule, *for* " section " *read* " sections ".

Page 532 : In the Second Schedule, against entry 5, in column 2, *for* " B." *read* " B.E.".

: In the Second Schedule, against entry 6, in column 2, *for* " Option," *read* " Option),".

: In the Second Schedule, against entry 9, in column 2, *for* " B.E. Civil " *read* " B.E. in Civil ".

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EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, WEDNESDAY, OCTOBER 22, 1975

PART I

Acts, Ordinance, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 22nd October, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 19th October, 1975, is hereby published for general information :—

ORDINANCE No. XXI OF 1975

AN

ORDINANCE

further to amend the Land Reforms Regulation, 1972

WHEREAS it is expedient further to amend the Land Reforms Regulation, 1972, for the purpose hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan is in force ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Land Reforms (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Prices Ps. 6

2. **Amendment of the Land Reforms Regulation, 1972.**—In the Land Reforms Regulation, 1972, in paragraph 29, in the third proviso, in clause (a), for the figures, letters, words and comma "30th day of September, 1975" the figures, letters, words and comma "31st day of March, 1976" shall be substituted and shall be deemed to have been so substituted on the first day of October, 1975.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ABAID ULLAH KHAN,
Solicitor.

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ISLAMABAD, TUESDAY, OCTOBER 28, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 28th October, 1975

No. F. 24 (3)|Pub.—The following Ordinance made by the President on the 27th October, 1975, is hereby published for general information :—

ORDINANCE No. XXII OF 1975

AN

ORDINANCE

further to amend the Pakistan Insurance Corporation Act, 1952

WHEREAS it is expedient further to amend the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Pakistan Insurance Corporation (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XXXVIII of 1952.**—In the Pakistan Insurance Corporation Act, 1952 (XXXVIII of 1952), hereinafter referred to as the

Price : Ps. 13

[4882 Ex. Gaz.]

said Act, in section 2, after clause (aa), the following new clause (aaa) shall be inserted, namely :—

"(aaa) 'Chairman' means the Chairman appointed under section 9 ;".

3. **Amendment of section 6, Act XXXVIII of 1952.**—In the said Act, in section 6, in sub-section (1), for the words "a Managing Director" the words "the Chairman" shall be substituted.

4. **Amendment of section 9, Act XXXVIII of 1952.**—In the said Act, in section 9,—

(a) for the heading "Managing Director" the heading "Chairman" shall be substituted ;

(b) in sub-section (1),—

(i) for the words "A Managing Director" the words "The Chairman" shall be substituted ;

(ii) in clause (a), after the word "Corporation", the words "and its chief executive" shall be added ; and

(iii) for clause (b) the following shall be substituted, namely :—

"(b) be responsible for the management of the affairs of the Corporation and, in addition to his functions as the chief executive, exercise such powers and perform such functions as may be prescribed or as may be assigned to him by the Board ;" ; and

(c) in sub-section (2), for the words "Managing Director" the word "Chairman" shall be substituted.

5. **Amendment of section 10, Act XXXVIII of 1952.**—In the said Act, in section 10, in sub-section (1), for clause (c) the following shall be substituted, namely :—

"(c) the Chairman.".

6. **Amendment of section 11, Act XXXVIII of 1952.**—In the said Act, in section 11, in sub-section (3), for the words "Managing Director" the word "Chairman" shall be substituted.

7. **Amendment of section 12, Act XXXVIII of 1952.**—In the said Act, in section 12, in clause (a), for the words "Managing Director" the word "Chairman" shall be substituted.

8. **Omission of section 15, Act XXXVIII of 1952.**—In the said Act, section 15 shall be omitted.

9. **Amendment of section 16, Act XXXVIII of 1952.**—In the said Act, in section 16, in sub-section (1), in clause (a), for the words "Managing Director who shall" the words "Chairman who shall also" shall be substituted.

10. **Amendment of section 17, Act XXXVIII of 1952.**—In the said Act, in section 17,—

(a) in sub-section (1), in the proviso, the words and comma "of the Board or of the Committee, as the case may be" shall be omitted ; and

(b) in sub-section (5), for clauses (a) and (b) the following shall be substituted, namely :—

> "(a) of the Board, a Director authorised in writing by the Chairman shall preside at the meeting ; and, in default of such authorisation, the Board may elect a Chairman to preside at the meeting ; and
>
> (b) of the Executive Committee, a Member authorised in writing by the Chairman shall preside at the meeting ; and, in default of such authorisation, the Executive Committee may elect a Chairman to preside at the meeting.".

11. **Amendment of section 26, Act XXXVIII of 1952.**—In the said Act, in section 26, in sub-section (2), for the words "equivalent to" the words "four per cent above" shall be substituted.

12. **Amendment of section 29, Act XXXVIII of 1952.**—In the said Act, in section 29, after sub-section (2), the following new sub-section shall be added, namely :—

> "(3) Notwithstanding anything contained in this Act or in any other law for the time being in force and without prejudice to the right of the Corporation to recover its dues in any other manner, any amount payable to the Corporation under sub-section (1) shall be recoverable as an arrear of land revenue.".

13. **Savings.**—Notwithstanding the provisions of the said Act as amended by this Ordinance, the person holding, immediately before the commencement of this Ordinance, the office of Managing Director of the Pakistan Insurance Corporation shall, upon such commencement, be deemed to have been appointed to be the Chairman of the Corporation and, until the powers or functions to be exercised or performed by the Chairman are prescribed or assigned to him by the Board, shall continue to exercise or perform the powers or functions which he was authorised to exercise or perform immediately before such commencement.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

No. F. 24 (1)|Pub. (I).—The following Ordinance made by the President on the 28th October, 1975, is hereby published for general information :—

ORDINANCE No. XXIII OF 1975

AN

ORDINANCE

to amend the Banks (Nationalisation) Act, 1974

WHEREAS it is expedient to amend the Banks (Nationalisation) Act, 1974 (XIX of 1974), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Banks (Nationalisation) (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Insertion of new section 5A, Act XIX of 1974.**—In the Banks (Nationalisation) Act, 1974 (XIX of 1974), hereinafter referred to as the said Act, after section 5, the following new section shall be inserted, namely :—

> "5A. *Transfer of powers and functions to Provincial Government.*—Notwithstanding anything contained in this Act, the Federal Government may, by notification in the official Gazette, direct that, in respect of Punjab Provincial Cooperative Bank Ltd., such of the powers and functions of the Federal Government or the Council under this Act as may be specified in the notification shall be exercised and performed by the Government of the Punjab".

3. **Amendment of section 11, Act XIX of 1974.**—In the said Act, in section 11, after sub-section (5), the following new sub-section shall be inserted, namely :—

> "(5A) Where the Council is satisfied that—
>
> (a) in the public interest ; or
>
> (b) to prevent the affairs of any bank being conducted in a manner detrimental to the interests of the depositors or in a manner prejudicial to the interests of the bank ; or
>
> (c) to secure the proper management of any bank generally, it is necessary to issue directions to banks generally, or to any bank in particular, it may, from time to time, issue such directions as it deems fit, and the banks, or the bank, as the case may be, shall be bound to comply with such directions.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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ISLAMABAD, THURSDAY, DECEMBER 4, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF INTERIOR, STATES AND FRONTIER REGIONS

(States and F. R. Division)

Islamabad, the 4th December, 1975

No. F. 1 (10)-Sec. III|74.—The following Regulation made by the President on the 23rd November, 1975, is hereby published for general information :—

REGULATION No. IV OF 1975

A

REGULATION

further to amend the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, and the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972.

WHEREAS it is expedient further to amend the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, and the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972, for the purposes hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, is in force ;

NOW, THEREFORE, in exercise of the powers conferred by clause (4) of Article 247 of the Constitution, the President is pleased to make the following Regulation :—

1. **Short title and commencement.**—(1) This Regulation may be called the Dir and Swat (Devolution and Distribution of Property and Settlement of Disputes of Immovable Property) (Amendment) Regulation, 1975.

Price : Rs. 6.

[7043 Ex. Gaz.]

(2) It shall come into force at once and shall be deemed to have taken effect on the first day of October, 1975.

2. **Amendment of the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972.**—In the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972, in paragraph 6, in the third proviso, in clause (a), for the figures, letters, words and comma "30th day of September, 1975" the figures, letters, words and comma "31st day of March, 1976" shall be substituted.

3. **Amendment of the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972.**—In the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972, in paragraph 5B, in sub-paragraph (2), in clause (a), for the figures, letters, words and comma "30th day of September, 1975" the figures, letters, words and comma "31st day of March, 1976" shall be substituted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

MASRUR HASAN KHAN,
Secretary.

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EXTRAORDINARY
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ISLAMABAD, SUNDAY, DECEMBER 21, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 21st December, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 21st December, 1975, is hereby published for general information :—

ORDINANCE No. XXIV OF 1975

AN

ORDINANCE

further to amend the Law Reforms Ordinance, 1972

WHEREAS it is expedient further to amend the Law Reforms Ordinance, 1972 (XII of 1972), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Law Reforms (Amendment) Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of Ordinance XII of 1972.**—The Law Reforms Ordinance, 1972 (XII of 1972), shall be amended to the extent and in the manner specified in the Schedule.

Price : Ps. 19

[7167 Ex. Gaz.]

THE SCHEDULE

(*See* section 2)

AMENDMENTS IN THE LAW REFORMS ORDINANCE, 1972

(XII OF 1972)

A. In section 1, in sub-section (2), after the word "specified", the words "for different provisions and" shall be inserted.

B. In the Schedule, in the provisions relating to amendments in the Code of Criminal Procedure, 1898 (Act V of 1898),—

1. after item 2, the following new item shall be inserted, namely :—

"2A. In section 10, in sub-section (3), for the commas, figures, words and brackets ", 407, sub-section (2) and 528, sub-sections (2) and (3)" the words, figures, comma and brackets "and 407, sub-section (2)" shall be substituted." ;

2. after item 12, the following new item shall be inserted, namely :—

"12A. In section 30, the words and comma "and the District of Sylhet," shall be omitted." ;

3. for item 15 the following shall be substituted, namely :—

"15. In section 32, in sub-section (1),—

(i) for the words "two years" the words "three years"; for the words "one thousand" the words "five thousand"; for the words "six months" the words "one year"; and for the words "two hundred" the words "one thousand" shall respectively be substituted ; and

(ii) for the word "Magistrate", occurring for the first time, the words "Judicial Magistrate" shall be substituted." ;

4. for item 22 the following shall be substituted namely :—

"22. In section 44,—

(i) for sub-section (1) the following shall be substituted, namely :—

'(1) Every person aware of the commission of, or of the intention of any other person to commit, any offence punishable under any of the following sections of the Pakistan Penal Code, namely, 121, 121A, 122, 123, 123A, 124, 124A, 125, 126, 130, 143, 144, 145, 147, 148, 153A, 161, 162, 163, 164, 165, 168, 170, 231, 232, 255, 302, 303, 304, 304A, 364A, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459, 460 and 489A, shall, in the absence of reasonable excuse, the burden of proving which shall lie upon the person so aware, forthwith give information to the nearest Magistrate or police-officer of such commission or intention.' ; and

(ii) in sub-section (1) substituted as aforesaid, after the word "Magistrate", the comma and words ", Justice of the Peace" shall be inserted." ;

5. for item 32 the following shall be substituted, namely :—

"32. After section 86, the following new section 86A shall be inserted, namely :—

'86A. *Procedure for removal in custody to Tribal Area.*—Where a person arrested under section 85 is to be removed in custody to any place in the Tribal Areas, he shall be produced before a Magistrate within the local limits of whose jurisdiction the arrest was made, and such Magistrate in directing the removal shall hear the case in the same manner and have the same jurisdiction and powers, as nearly as may be, including the power to order the production of evidence, as if the person arrested were charged with an offence committed within the jurisdiction of such Magistrate ; and such Magistrate shall direct the removal of the arrested person in custody if he is satisfied that the evidence produced before him raises a strong or probable presumption that the person arrested committed the offence mentioned in the warrant.'.

32A. In section 86A, for the word 'Magistrate', occurring for the first time, the words 'Judicial Magistrate' shall be substituted." ;

6. for item 36 the following shall be substituted, namely :—

"36. In section 98,—

(i) in sub-section (1),—

(a) for the words and comma "or coin, or instruments or materials for counterfeiting coin or stamps" the commas and words ", bank notes, currency notes or coin or instruments or materials for counterfeiting coin, stamps, bank notes or currency notes" shall be substituted ;

(b) the commas and words ", if a District Magistrate, or a Sub-divisional Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used" shall be omitted ;

(c) in clause (c), after the words "stamps", the commas and words ", bank notes, currency notes" shall be inserted ;

(d) in clause (d), after the word and comma "stamps,", the words and commas "bank notes, currency notes," shall be inserted ; and

(e) in clause (e), after the word and comma "stamps,", the words and commas "bank notes, currency notes," shall be inserted and for the words "or stamps" the commas and words ", stamps, bank notes or currency notes" shall be substituted ; and

(ii) in sub-section (2), for the words, figures and comma "section 19 of the Sea Customs Act, 1878" the words, figures and comma "section 16 of the Customs Act, 1969" shall be substituted." ;

7. in item 37, the words, commas and figure "Press and Publications Ordinance, 1960, or the" shall be omitted ;

8. in item 43, in sub-item (ii), the words, commas and figure " the Press and Publications Ordinance, 1960, " shall be omitted ;

9. after item 58 the following new item shall be inserted, namely :—

" 58A. In section 146, in sub-section (2), for the words " Code of Civil Procedure " the words, comma and figure " Code of Civil Procedure, 1908 " shall be substituted. " ;

10. in item 70, for sub-item (ii) the following shall be substituted, namely :—

" (ii) in sub-section (2), for the words and comma " or the District Magistrate subject to the general or special orders of the Provincial Government, may " the words and commas " may, on the recommendation of the High Court, empower any Judicial Magistrate " shall be substituted ;

(iiA) in sub-section (2), for the words " commit for trial " the words " send to the Court of Session for trial " shall be substituted ; and

(iii) for sub-section (3) the following shall be substituted, namely :—

" (3) A Magistrate taking cognizance under sub-section (1) of an offence triable exclusively by a Court of Session shall, without recording any evidence, send the case to the Court of Session for trial. " ;

11. after item 70 amended as aforesaid, the following new item shall be inserted, namely :—

" 70A. In section 191, for the word " committed " the word " sent " shall be substituted. " ;

12. after item 71, the following new item shall be inserted, namely :—

" 71A. In section 192, in sub-section (2), for the words " commit him " the words " send him to the Court of Session " shall be substituted." ;

13. for item 78 the following shall be substituted, namely :—

" 78. In section 200, in clause (a) of the proviso, after the word and figure ' section 192 ', the comma and words ', or sending it to the Court of Session ' shall be added." ;

14. for item 79 the following shall be substituted, namely :—

" 79. For section 202 the following shall be substituted, namely :—

' 202. *Postponement of issue of process.*—(1) Any Court, on receipt of a complaint of an offence of which it is authorised to take cognizance, or which has been sent to it under section 190, sub-section (3), or transferred to it under section 191 or section 192, may, if it thinks fit, for reasons to be recorded, postpone the issue of process for compelling the attendance of the person complained against, and either inquire into the case itself or direct an inquiry or investigation to be made by a police-officer, or by such other person as it thinks fit, for the purpose of ascertaining the truth or falsehood of the complaint:

Provided that, save where the complaint has been made by a Court, no such direction shall be made unless the complainant has been examined on oath under the provisions of section 200.

(2) A Court of Session may, instead of directing an investigation under the provisions of sub-section (1), direct the investigation to be made by any Magistrate subordinate to it for the purpose of ascertaining the truth or falsehood of the complaint.

(3) If any inquiry or investigation under this section is made by a person not being a Magistrate, or a police-officer, such person shall exercise all the powers conferred by this Code on an officer-in-charge of a polce-station, except that he shall not have power to arrest without warrant.

(4) Any Court inquiring into a case under this section may, if it thinks fit, take evidence of witnesses on oath.'.

79A. In section 202 substituted as aforesaid,—

(i) in sub-section (1), after the words 'made by', the words and comma 'any Justice of the Peace, or by' shall be inserted; and

(ii) in sub-section (3), after the word and comma "Magistrate,", the words "or Justice of the Peace" shall be inserted.

79B. In section 203,—

(i) for the word "Magistrate" the word "Court" shall be substituted; and

(ii) after the word "transferred", the words "or sent" shall be inserted.";

15. after item 85, the following new items shall be inserted, namely:—

"85A. In section 228, the words and figure "section 226 or" shall be omitted.

85B. In section 232, in sub-section (1), after the words "High Court", the comma and words ", or the Court of Session" shall be inserted.";

16. after item 95, the following new item shall be inserted, namely:—

"95A. In section 247, in the proviso, for the full stop at the end a colon shall be substituted and thereafter the following further proviso shall be added, namely:—

'Provided further that nothing in this section shall apply where the offence of which the accused is charged is either cognizable or non-compoundable.'";

17. in item 100, in sub-item (ii), for the words "two hundred and fifty rupees" the words "two thousand and five hundred rupees" shall be substituted;

18. for item 103 the following shall be substituted, namely :—

"103. For section 264 the following shall be substituted, namely :—

'264. *Record in appealable cases.*—In every case tried summarily by a Magistrate or Bench in which an appeal lies, such Magistrate or Bench shall record the substance of the evidence and also the particulars mentioned in section 263 and shall, before passing any sentence, record a judgment in the case.'." ;

19. in item 112, in sub-item (i), clause (a) shall be omitted;

20. after item 139, the following new item shall be inserted, namely :—

"139A. In section 407, in sub-section (1), the words and figure 'or in respect of whom an order has been made, or a sentence has been passed under section 380 by a Sub-divisional Magistrate of the second class' shall be omitted." ;

21. after item 150, the following new item shall be inserted, namely :—

"150A. In section 436, the comma, words and colon ", or into the case of any person accused of an offence who has been discharged :" and the proviso shall be omitted." ;

22. for item 152 the following shall be substituted, namely :—

"152. Section 437 shall be omitted.

152A. In section 438, the words "Sessions Judge or" shall be omitted.

152B. Section 438, amended as aforesaid, shall be omitted." ;

23. in item 157, for the words "five hundred rupees" the words "one thousand rupees" shall be substituted ;

24. after item 165, the following new item shall be inserted, namely :—

"165A. In section 508, the words 'other than Pakistan' shall be omitted." ;

25. in item 167, for the words and commas "and shall, if so requested by any party to such inquiry, trial or proceeding" the words "if it considers necessary in the interest of justice" shall be substituted ;

26. in item 172,—

(i) in sub-item (i), for the brackets and letter '(c)' the brackets and letter '(e)' shall be substituted ; and

(ii) for sub-item (iv) the following shall be substituted, namely :—

"(iv) for sub-sections (8) and (9) the following shall be substituted, namely :—

'(8) In an inquiry under Chapter VIII or any trial, the fact that any party intimates to the Court at any stage that he intends to make an application under this section shall not require the Court to adjourn the case ; but the Court shall not pronounce its final judgment or order until the application has been finally disposed of by the High Court and, if the application is accepted by the High Court, the proceedings taken by the Court subsequent to the intimation made to it shall, at the option of the accused, be held afresh.' ; " ;

27. for item 173 the following shall be substituted, namely :—

"173. In section 528,—

(i) after sub-section (1B), the following new sub-section (1C) shall be inserted, namely :—

'(1C) Any Sessions Judge may withdraw any case from, or recall any case which he has made over to, any Magistrate subordinate to him, and may refer it for inquiry or trial to any other such Magistrate competent to inquire into or try the same.

Explanation.—All Magistrates shall be deemed to be subordinate to the Sessions Judge for the purposes of this sub-section.' ;

(ii) sub-sections (2) and (3) shall be omitted ; and

(iii) in sub-section (5), for the word "section", the words "preceding sub-section" shall be substituted." ;

28. for item 185 the following shall be substituted, namely :—

"185. In section 565, in sub-section (1),—

(i) the commas and words ', District Magistrate, Sub-divisional Magistrate' shall be omitted ; and

(ii) the words 'transportation or' shall be omitted.".

29. after item 197, the following new item shall be inserted, namely :—

"197A. In section 146, in the margin, for the figures and word 'XIV of 1882' the figures and word 'V of 1908' shall be substituted." ;

30. after item 201, the following new item shall be inserted, namely :—

"201A. In section 350, in the margin, the words 'or commitment' shall be omitted." ;

31. in item 211, for sub-item (v) the following shall be substituted, namely :—

"(v) in Part V, under the heading 'Ordinary Powers of a District Magistrate',—

(a) items (la), (9), (9a), (10), (11) and (14) shall be omitted ;

(b) items (7), (8) and (13) shall be omitted ;

(c) in item (12), the words 'or case of accused discharged' shall be omitted ; and

(d) item (12), amended as aforesaid, shall be omitted." ; and

32. in item 210, sub-item (v) shall be omitted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 22nd December, 1975

No. F. 24 (I)/75.—The following Ordinance made by the President on the 20th December, 1975 is hereby published for general information :—

ORDINANCE No. XXV OF 1975

AN

ORDINANCE

to establish a National Insurance Corporation

WHEREAS it is expedient to establish a National Insurance Corporation and to provide for matters connected therewith or incidental thereto ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the National Insurance Corporation Ordinance, 1975.

(2) It extends to the whole of Pakistan, and applies to all public property wherever it may be.

Price ; *Ps*, 25

[7173 Ex. Gaz.]

(3) It shall come into force at once.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(1) " Chairman " means the Chairman of the Corporation ;

(2) " Corporation " means the National Insurance Corporation established under section 3 ;

(3) " Board " means the Board of Directors of the Corporation ;

(4) " company " has the same meaning as in the Companies Act, 1913 (VII of 1913) ;

(5) " Fund " means the National Insurance Fund established by the Government of Pakistan on the first day of July, 1973 ;

(6) " public property " means—

(*a*) any property, movable or immovable, which belongs to, or the safety of which is the legal responsibility of,—

(i) the Federal Government or a statutory corporation ; or

(ii) any company, firm, undertaking, institution, organization or other establishment which is managed or controlled by the Federal Government or a statutory corporation or the management or control of which has for the time being been entrusted by the Federal Government to a Provincial Government or in which the Federal Government, by itself or jointly with a statutory corporation or a company in which the Federal Government, by itself or jointly with a corporation or company managed or controlled by it, holds controlling financial share or interest or which is specified by the Federal Government for the purposes of this clause ; and

(*b*) a project financed out of an external loan, or with external aid, until it reaches—

(i) in the case of an industrial project, the stage at which it is capable of commencing normal production ; and

(ii) in the case of any other project, the stage at which it is capable for being put to the use for which it is intended ;

(7) " regulations " means regulations made under section 26 ;

(8) " rules " means rules made under section 25 ;

(9) " statutory corporation " means a body corporate, other than a company, established or set up by the Federal Government in pursuance of any law ; and

(10) all words and phrases used but not defined in this Ordinance shall have the same meaning as in the Insurance Act, 1938 (IV of 1938).

3. **Establishment and incorporation of the Corporation.**—(1) As soon as may be after the commencement of this Ordinance, the Federal Government shall, by notification in the official Gazette, establish a corporation for the purposes of this Ordinance.

(2) The Corporation shall be a body corporate to be called the National Insurance Corporation, having perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire and hold property both movable and immovable and shall by the said name sue and be sued.

(3) The Head Office of the Corporation shall be at such place as the Federal Government may, by notification in the official Gazette, specify.

(4) The Corporation may establish such regional and other offices as it thinks fit.

4. **Capital.**—The initial capital of the Corporation shall be provided wholly by the Federal Government which shall determine the amount of such capital and the conditions upon which it is to be provided.

5. **Management.**—(1) The general direction and administration of the affairs and business of the Corporation shall be vested in a Board of Directors which shall consist of—

(*a*) a Chairman to be appointed by the Federal Government, who shall also be the chief executive of the Corporation ; and

(*b*) such number of Directors as the Federal Government may, from time to time, appoint.

(2) In the discharge of any of the functions of the Corporation, the Board shall act, as far as possible, on business considerations consistently with the interests of the Government, the statutory corporations and the other bodies referred to in paragraph (ii) of sub-clause (a) of clause (6) of section 2.

(3) The Chairman shall be responsible for the management of the affairs and business of the Corporation and, in addition, exercise such powers and perform such functions as may be prescribed by regulations or as may be assigned to him by the Board.

(4) The terms of appointment of the Chairman and a Director shall be such as may be determined by the Federal Government from time to time.

(5) The Chairman and a Director shall hold office during the pleasure of the Federal Government.

(6) The Federal Government may, from time to time, give such directions to the Board and the Chairman as it may deem fit.

6. **Disqualification.**—No person shall be, or shall continue to be, the Chairman or a Director if he—

(*a*) is, or at any time has been, adjudicated an insolvent ;

(*b*) is found to be a lunatic or of unsound mind ;

(*c*) is, or at any time has been, convicted of an offence which in the opinion of the Federal Government is an offence involving moral turpitude ;

(*d*) not being a government official, is for the time being disqualified from holding any public office or from being a member of an elective body under any law for the time being in force ; or

(*e*) is a minor.

7. **Declaration of fidelity and secrecy.**—The Chairman and every Director, auditor, officer or servant of the Corporation shall, before entering upon his duties, make a declaration of fidelity and secrecy in the form set out in the Schedule.

8. **Delegation of powers.**—The Board may, for the purpose of ensuring efficient functioning of the Corporation and facilitating transaction of its daily business, by a resolution, delegate to the Chairman, subject to such conditions, if any, as may be specified therein, such of its powers and duties under this Ordinance as it may deem necessary.

9. **Functions of the Corporation.**—Subject to the provisions of this Ordinance, the Corporation may transact the following kinds of business, namely :—

(*a*) undertaking general insurance business relating to any public property or to any risk or legal liability appertaining to the use of any public property, including execution of bonds, guarantees and other instruments of indemnity and granting of personal accident insurance to the directors, officers or employees of Government, statutory corporations and other bodies referred to in paragraph (ii) of sub-clause (a) of clause (6) of section 2, but excluding life insurance business ;

(*b*) undertaking general insurance business relating to any property, movable or immovable, which belongs to, or the safety of which is the legal responsibility of, a Provincial Government or a local authority or a body corporate established or set up by any Provincial Government in pursuance of any law or any company, firm undertaking, institution, organisation or other establishment which is set up sponsored, managed or controlled by such Provincial Government, local authority or body corporate or in which the Provincial Government, by itself or jointly with a local authority or body corporate, holds controlling financial share or interest or to any risk or legal liability appertaining to the use of such property, including execution of bonds, guarantees and other instruments of indemnity and granting of personal accident insurance to the directors, officers or employees thereof, but excluding life insurance business ;

(*c*) advising the Government, statutory corporations and other bodies referred to in paragraph (ii) of sub-clause (a) of clause (6) of section 2 on any matter relating to insurance including measures to minimum wastage arising from causes which are usually insured against and to reduce the cost of insurance ;

(*d*) undertaking such other general insurance business relating to other properties and interests as the Federal Government may from time to time authorise the Corporation to undertake ;

(*e*) subject to the provisions of section 13, reinsuring or counter-reinsuring any risk and undertaking all kinds of reinsurance and counter-reinsurance connected with any business aforesaid ;

(*f*) conducting or managing the business relating to any Scheme or undertaking any functions connected with general insurance business which the Federal Government may entrust to the Corporation from time to time ;

(*g*) borrowing or raising any money in such manner and upon such security as the Corporation may think fit; and

(*h*) generally all matters and things incidental or subsidiary to, or consequential upon, the exercise of its powers or the performance of its functions under this Ordinance.

10. **Public property to be insured with the Corporation only.**—(1) All insurance business relating to any public property, or to any risk or liability appertaining to any public property, shall be placed with the Corporation and with no other insurer.

(2) Any policy of insurance taken or issued in contravention of sub-section (1) shall be void :

Provided that any claim for loss, damage, compensation or refund of premium arising out of, or relating to, such policy shall binding on the insurer :

Provided further that any such policy operative immediately before the establishment of the Corporation, or a policy relating to any property, or to any risk or liability appertaining to any property, taken before such property becomes public property, shall, unless earlier determined in accordance with the terms thereof, continue in force for the term for which it had been originally issued.

11. **Insurance of other properties permissible.**—Nothing in section 10 shall be construed as precluding the Corporation from accepting reinsurance relating to any property or risk from the Pakistan Insurance Corporation under any of the pooling arrangements devised by that Corporation.

12. **Taking over assets and liabilities of the Fund.**—The business, assets and liabilities, including bank accounts, deposits, securities and rights, of the Fund operating immediately before the establishment of the Corporation shall, on such establishment stand transferred to and vest in the Corporation.

13. **Reinsurance business.**—The Corporation shall reinsure with the Pakistan Insurance Corporation, on generally acceptable terms and conditions, such portion of its insurance business as it cannot retain on its own account.

14. **Disputes arising under policies, etc.**—(1) Where any dispute arises under a policy, or over a claim under a policy, issued by the Corporation, any party to the dispute may make an application to the Federal Government.

(2) The Federal Government shall, as soon as possible, constitute for the purpose of deciding disputes referred to in sub-section (1), or any particular dispute, a Dispute Settlement Committee consisting of such members, including a Chairman, as it may think fit.

(3) The decision of a Dispute Settlement Committee on an application shall be final and shall not be called in question in any court.

15. **Transfer of service of existing employees.**—(1) Every wholetime employee of the Pakistan Insurance Corporation who was mainly engaged on the business of the Fund and who had continuously served in connection with the business of the Fund for a period of not less than six months immediately before the establishment of the Corporation under sub-section (1) of section 3 shall, on such establishment, become an employee of the Corporation and shall hold office therein on the same terms and conditions, including remuneration, tenure of office, rights, perquisities, privileges and obligations as to Gratuity, Provident Fund, Group Insurance and other matters, as were applicable to him immediately before such establishment :

Provided that the Federal Government shall be the sole judge as to whether any person employed in the Pakistan Insurance Corporation was or was not mainly engaged on the business of the Fund.

(2) The Pakistan Insurance Corporation shall pay to the Corporation, as soon as possible, the amount of Provident Fund, Gratuity Fund and other funds, credits or assets relating to the employees referred to in sub-section (1).

16. **Investment of moneys.**—The Corporation may invest its moneys in such manner as the Board may deem fit.

17. **Bank account.**—The Corporation may open current or deposit accounts in such banks as may be approved by the Board from time to time, subject to any general or special instructions of the Federal Government.

18. **Accounts.**—The accounts relating to the transactions connected with the business of the Corporation shall be maintained, and the annual Revenue Account, Profit and Loss Account, Profit and Loss Appropriation Account and Balance sheet shall be prepared, by the Corporation in the forms set forth in the Schedules to the Insurance Act, 1938 (IV of 1938).

19. **Disposal of profits.**—If, after meeting all claims and expenses, and after making appropriations and providing for the Premium Reserve, Reserve for Outstanding Claims, Exceptional Loss Reserve, General and Contingency Reserves and such other reserves as may be approved by the Federal Government, there remains a surplus in the profit and loss account of the Corporation for any year, such surplus shall be credited to the revenues of the Federation.

20. **Audit.**—(1) The accounts of the Corporation shall be audited by not less than two auditors, being chartered accountants within the meaning of the Chartered Accountants Ordinance, 1961 (X of 1961), who shall be appointed by the Federal Government on such remuneration as may be determined by it.

(2) Notwithstanding anything contained in sub-section (1), the Auditor-General of Pakistan may at any time of his own motion, and shall when required by the Federal Government so to do, undertake such audit of the accounts of the Corporation as the Auditor-General or, as the case may be, the Federal Government, may consider necessary.

(3) Every auditor in the performance of his duties shall have at all reasonable times access to the books of accounts and other documents of the Corporation.

(4) The auditors shall, in the audit of accounts, have the powers of, exercise the functions vested in, and discharge the duties, and the subject to the liabilities and penalties, imposed on, auditors of companies under the law for the time being in force relating to companies.

21. **Returns.**—The Corporation shall furnish to the Federal Government—

(*a*) annually a report giving an account of its activities and performance during the year, an account of the activities and plans, if any, which are likely to be undertaken by the Corporation during the year next following the year to which the report relates together with statements of revenue and profit and loss accounts as audited, and the audited balance-sheet, for the year, within six months after the close of the year ; and

(*b*) such other reports, statements and returns in respect of the working of the Corporation, at such intervals, as the Federal Government may, from time to time require.

22. **Liquidation of the Corporation.**—The Corporation shall not be wound up save by order of the Federal Government and in such manner as it may direct.

23. **Advisory Committee.**—The Corporation may appoint an Advisory Committee consisting of the representatives of the departments of Government and the statutory corporations to advise it on any of the aspects of its working.

24. **Application of Insurance Act, 1938 (IV of 1938).**—Such provisions of the Insurance Act, 1938 (IV of 1938), shall apply to the Corporation as may be specified by the Federal Government by notification in the official Gazette, and while issuing such a notification the Federal Government may direct that any such provision shall, in its application to the Corporation, have effect subject to such exception and modifications as may be specified in the notification.

25. **Powers to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

26. **Power to make regulations.**—The Board may, with the approval of the Federal Government, make regulations not inconsistent with this Ordinance or the rules to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Ordinance.

27. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Federal Government may make such order, not inconsistent with the provisions of this Ordinance, as may appear to it to be necessary for the purpose of removing the difficulty :

Provided that no such power shall be exercised after the expiry of one year from the commencement of this Ordinance.

THE SCHEDULE

(*See* section 7)

I,...hereby declare that I will faithfully, truly and to the best of my judgement, skill and ability, execute and perform the duties required of me as the Chairman, or a Director, Officer, servant or auditor (as the case may be) of the National Insurance Corporation and which properly relate to any office or position in the said Corporation held by me.

I further declare that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Corporation nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Corporation and relating to the business of the Corporation.

Signed before me

Signature..............................

Signature..............................

Designation..............................

Date ....

FAZAL ELAHI CHAUDHRY,
President.

Countersigned

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 23rd December, 1975

No. F. 24 (1)/75-Pub.—The following Ordinance made by the President on the 23rd December, 1975, is hereby published for general information :—

ORDINANCE No. XXVI of 1975

AN

ORDINANCE

further to amend certain laws relating to industrial relations and welfare of workers;

WHEREAS it is expedient further to amend certain laws relating to industrial relations and welfare of workers for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Labour Laws (Amendment) Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once, except the provisions of the Schedule relating to amendments in the Industrial Relations Ordinance, 1969 (XXIII

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[7194 Ex. Gaz.]

of 1969), which shall come into force from such date as the Federal Government may, by notification in the official Gazette, specify in this behalf, and different dates may be so specified for different provisions.

2. **Amendment of certain laws.**—The laws specified in the Schedule shall be amended in the manner specified in the fourth column thereof.

3. **Transfer of pending cases.**—Any matter under section 25A of the Industrial Relations Ordinance, 1969 (XXIII of 1969), pending before a Junior Labour Court immediately before the commencement of this Ordinance shall, on such commencement, stand transferred to the Labour Court.

4. **Savings.**—Nothing in this Ordinance shall be deemed to require the transfer to the Labour Appellate Tribunal of any appeal from a decision of a Junior Labour Court pending before a Labour Court immediately before the commencement of this Ordinance and every such appeal shall be heard and disposed of by the Labour Court as if this Ordinance had not come into force.

THE SCHEDULE

(*See* section 2)

S. No.	Number and year of Act or Ordinance	Short title	Amendment
1	2	3	4
1.	VIII of 1923.	The Workmen's Compensation Act, 1923.	Section 31 shall be re-numbered as sub-section (1) of that section and, after sub-section (1) re-numbered as aforesaid, the following new sub-section shall be added, namely :— "(2) Without prejudice to the provisions of sub-section (1), the Commissioner may recover in the prescribed manner any amount referred to therein by distress and sale of the moveable property belonging to the person by whom the amount is payable, or by attachment and sale of the immoveable property belonging to such person.".
2.	IX of 1936.	The Payment of Wages Act, 1936.	1. In section 15, in sub-section (5), for clause (b) the following shall be substituted, namely :— "(*b*) if the authority is not a Magistrate, by the authority as an arrear of land-revenue, or, in the prescribed manner, by the authority by distress and sale of the moveable property belonging to the person by whom the amount is to be paid, or by attachment and sale of the immoveable property belonging to such person." 2. In section 17, in sub-section (1), in clause (a), for the comma and word " , or " at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :— "Provided that no appeal under this clause shall lie unless the memorandum of appeal is accompanied by a certificate of the authority to the effect that the appellant has deposited with the authority the amount payable under the direction appealed against, or".
3.	West Pakistan Ordinance No. X of 1965.	The West Pakistan Employees Social Security Ordinance, 1965.	In section 2, in sub-section (8), in clause (f), for the words "five hundred" the words "one thousand" shall be substituted.

1	2	3	4
4.	XII of 1968.	The Companies Profits (Workers Participation) Act, 1968.	In section 3, in sub-section (1), in clause (b),— (*a*) for the word " pay " the words and commas " subject to adjustments, if any, pay " shall be substituted ; and (*b*) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :— " Provided that, where the accounts have been audited by an auditor appointed under section 23B of the Industrial Relations Ordinance, 1969 (XXIII of 1969), the profits shall be assessed on the basis of such audit. "
5.	West Pakistan Ordinance No. VI of 1968.	The West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968.	1. In section 7, for sub-section (6) the following shall be substituted, namely :— " (6) No court other than a Labour Court established under the Industrial Relations Ordinance, 1969 (XXIII of 1969), shall try any offence under this Ordinance. ". 2. In the Schedule,— (*a*) in Standing Order 10B, in clause (1), after the word " against ", the words " natural death and disability and " shall be inserted ; (*b*) in Standing Order 11A, after the word " shall " the words " terminate the employment of more than fifty per cent of the workmen or " shall be inserted ; and (*c*) in Standing Order 15,— (*i*) in clause (4), after the word " misconduct ", the words " within one month of the date of such misconduct or of the date on which the alleged misconduct comes to the notice of the employer " shall be inserted ; and (*ii*) in clause (5), after the word " time ", the words, commas, figures and brackets " so, however, that the total period of such suspension shall not exceed four weeks except where the matter is pending before an Arbitrator, a Labour Court, Tribunal or Conciliator for the grant of permission under section 47 of the Industrial Relations Ordinance, 1969 (XXIII of 1969) " shall be inserted.
6.	XII of 1969.	The Industrial Relations Ordinance, 1969.	1. In section 2, clause (xiva) shall be omitted. 2. In section 3, in clause (a), for semi-colon at the end, a colon shall be substituted, and thereafter the following proviso shall be added, namely :— " Provided that no worker shall be entitled to be a member of more than one trade union at any one time ; ". 3. In section 6, in clause (a),— (*a*) in sub-clause (iva), after the word " relates " at the end, the words " alongwith a statement of the total number of workers employed therein " shall be added ; and (*b*) after sub-clause (iva), the following new sub-clause shall be added, namely :— " (*ivb*) the names and addresses of the registered trade unions in the establishment, group of establishments or industry, as the case may be, to which the union relates ; ".

1	2	3	4

4 In section 7, for sub-section (2) the following shall be substituted, namely :—

"(2) Without prejudice to the provisions of sub-section (1), a trade union of workmen shall not be entitled to registration under this Ordinance—

(*a*) unless all its members are workmen actually engaged or employed in the industry with which the trade union is connected ; and

(*b*) Where there are two or more registered trade unions in the establishment, group of establishments or industry with which the trade union is connected, unless it has as its members not less than one-fifth of the total number of workmen employed in such establishment, group of establishments or industry, as the case may be.".

5. In section 22A,—

(*a*) in sub-sections (9), (10) and (10a), the words " Junior Labour Court or " shall be omitted ; and

(*b*) in sub-section (12),—

(*i*) the words " a Junior Labour Court or " shall be omitted ; and

(*ii*) in the proviso, the words " Junior Labour Court and " shall be omitted.

6. In section 22B, in sub section (3), the words " a Junior Labour Court or " and the words and comma " Junior Labour Court, " shall be omitted.

7. In section 23B,—

(*a*) in sub-section (1), for the word " twenty " the word " fifty " shall be substituted ;

(*b*) in sub-section (6),—

(*i*) in clause (iii), the word " and " at the end shall be omitted ;

(*ii*) in clause (iv), for the full stop at the end a semi-colon shall be substituted ; and

(*iii*) after clause (iv) amended as aforesaid, the following new clauses shall be added, namely :—

"(v) regulation of daily working hours and breaks ;

(*vi*) preparation of leave schedule ; and

(*vii*) matters relating to the conduct of workers within the factory." ; and

(*c*) in sub-section (14), for clause (a) the following shall be substituted, namely :—

"(*a*) " factory " has the same meaning as in the Factories Act, 1934 (XXV of 1934) ;".

1 2 3 4

8. After section 23B amended as aforesaid, the following new section shall be inserted, namely:—

"23C. *Joint Management Board.*—(1) In every company employing fifty persons or more, the management shall, in the prescribed manner, set up a joint management board in which the workers' participation shall be to the extent of thirty-three per cent.

(2) The employer's representatives on the joint management board shall be from amongst the Directors or senior executives.

(3) The joint management board shall look after the following matters, namely :—

(*a*) improvement in production, productivity and effieciency ;

(*b*) fixation of job and piecerates ;

(*c*) planned regrouping or transfer of the workers ;

(*d*) lying down the principles of remunerations and introduction of new remuneration methods ; and

(*e*) provision of minimum facilities for such of the workers employed through contractors as are not covered by the laws relating to welfare of workers.

(4) The joint management board may call for reasonable information about the working of the company from its management and the management shall supply the information called for.

(5) In this section,—

(*a*) "company" has the same meaning as in the Companies Act, 1913 (VII of 1913) ; and

(b) "management" means the employer.".

9. In section 25A,—

(*a*) for the words "Junior Labour Court", wherever occurring, the words "Labour Court" shall be substituted ;

(*b*) for the words "trade union", wherever occurring, the words "collective bargaining agent" shall be substituted ; and

(*c*) after sub-section (7), the following new sub-sections shall be added, namely :—

"(8) If a decision under sub-section (4) or an order under sub-section (5) given by the Labour Court or a decision of the Tribunal in an appeal against such a decision or order is not given effect to or complied with within a week or within the period specified in such order or decision, the defaulter shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

1 2 3 4

(9) No person shall be prosecuted under sub-section (8) except on a complaint in writing—

(*a*) by the workman if the order or decision in his favour is not implemented within the period specified therein ; or

(*b*) by the Labour Court or Tribunal, if an order or decision thereof is not complied with.

(10) For the purposes of this section, workers having common grievance arising out of a common cause of action may make a joint application to the Labour Court.".

10. In section 36,—

(*a*) in sub-section (3), after the word " Ordinance ", the words, brackets, comma and figures " or the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W.P. Ordinance VI of 1968) " shall be inserted ;

(*b*) after sub-section (4), the following new sub-section shall be added, namely :—

"(5) If the parties to a case, at any time before a final order is passed by the Labour Court, satisfy the Labour Court that the matter has been resolved by them amicably and that there are sufficient grounds for withdrawing the case, it may allow such withdrawal. ".

11. Sections 36A, 36B, 36C, 36D, 36E and 36F shall be omitted.

12. In section 37,—

(*a*) in sub-section (3), after the words, brackets and figures " sub-section (1) ", the words, figure and letter " or a decision given under section 25A" shall be inserted ; and

(*b*) in sub-section (4), after the word " than ", the words, figure, letter and comma " decisions given under section 25A," shall be inserted.

13. In section 38,—

(*a*) in sub-section (3), after the word " award ", the words, figure and letter " or decision given under section 25A" shall be inserted ; and

(*b*) after sub-section (6), the following new sub-sections shall be added, namely :—

"(7) A Tribunal may, on its motion or on the application of a party, transfer any application or proceeding from a Labour Court within its jurisdiction to any other such Labour Court.

(8) Notwithstanding anything contained in sub-section (3), if, in an appeal preferred to it against the order of a Labour Court directing the re-instatement of a workman, the Tribunal makes an order staying the operation of the order of the Labour Court, the Tribunal

1	2	3	4
			shall decide such appeal within twenty days of its being preferred : Provided that, if such appeal is not decided within the period aforesaid, the order of the Tribunal shall stand vacated on the expiration of that period.". 14. In section 39, in sub-section (1),— (*i*) after the word "proceedings", the words "or otherwise between the employer and the collective bargaining agent" shall be inserted ; and (*ii*) in clause (d), for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :— "Provided that, where a collective bargaining agent or a trade union performing the functions of a collective bargaining agent under section 52 exists, the employer shall not enter into a settlement with any other trade union, and any contravention of this provision shall be deemed to be an unfair labour practice under section 15.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

No. F. 24. (1)|75-Pub.—The following Ordinance made by the President on the 23rd December, 1975, is hereby published for general information :—

ORDINANCE No. XXVII OF 1975

AN

ORDINANCE

to repeal and re-enact the law relating to old-age benefits for the persons employed in industrial, commercial and other organisations

WHEREAS it is expedient to repeal and re-enact the law relating to old-age benefits for the persons employed in industrial, commercial and other organisations and matters connected therewith ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that the circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

CHAPTER I

PRELIMINARY

1. **Short title, extent, commencement and application.**—(1) This Ordinance may be called the Employees' Old-Age Benefits Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(4) It applies to every industry or establishment wherein ten or more persons are employed, directly or through any other person, whether on behalf of himself or any other person, or were so employed on any day during the preceding twelve months.

2. **Definitions.**—In this Ordinance, unless the context otherwise requires,—

(a) "Board" means the Board of Trustees constituted under section 6 ;

(b) "contribution" means the sum of money payable to the Institution by the employer in respect of an insured person under the provisions of this Ordinance ;

(c) "employer" means owner of an establishment or industry and includes an agent, manager or representative of the owner and, where any work or undertaking is carried on by or on behalf of the State, the contractor or licence, executing or carrying on such work or undertaking ;

(d) "employment injury" means a personal injury to an insured person caused by an accident, or by such occupational disease as may be specified in the regulations, arising out of and in the course of his employment ;

(e) "establishment" means an organisation, whether industrial, commercial or otherwise ;

(f) "fund" means the Employees' Old-Age Benefit Fund set up under section 15 ;

(g) "industry" means any business, trade, undertaking, manufacture or calling of employers, and includes any calling, service, employment, handicraft, industrial occupation or avocation of workmen ;

(h) "Institution" means the Employees' Old-Age Benefits Institution established or nominated under section 4 ;

(i) "insured person" means a person who is or was in insurable employment ;

(j) "insurable employment" means employment of a person under a contract of service or apprenticeship, whether written or oral, express or implied and in respect of which contributions are payable under this Ordinance ;

(k) "invalidity" means a condition, other than that caused by an employment injury, as a result of which an insured person is permanently incapacitated to such an extent as to be unable to earn from his usual or other occupation more than one-third of the normal rates of earnings in his usual occupation ;

(l) "member" means a member of the Board ;

(m) "prescribed" means prescribed by rules ;

(n) "regulations" means regulations made by the Board ;

(o) "rules" means rules made under this Ordinance ;

(p) "wages" means wages as defined in clause (vi) of section 2 of the Payment of Wages Act, 1936 (Act No. IV of 1936) ; and

(q) "year" with respect to contributions payable means a total of 312 days for which contributions are payable.

CHAPTER II

INSURED PERSONS

3. **Compulsory insurance.**—All persons employed in an industry or establishment under a contract of service or apprenticeship, whether written or oral, express or implied, shall be insured in the manner provided by or under this Ordinance.

4. **Administration.**—(1) As soon as may be, after the commencement of this Ordinance, Government shall establish or nominate by notification an Institution to be called the Employees' Old-Age Benefits Institution.

(2) The Institution shall be a body corporate having perpetual succession and a common seal, with powers, subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable, and shall by the aforesaid name sue or be sued.

5. **Management.**—(1) The general direction and superintendence of the affairs of the Institution shall vest in a Board which may, with the assistance of the Head of the Institution, exercise all powers and do all acts and things which may be exercised or done by the Institution.

(2) In discharging its functions, the Institution shall be guided by such instructions on questions of policy as may be given to it, from time to time, by the Federal Government, which shall be the sole judge as to whether any instructions are on a question of policy or not.

6. **Board of Trustees.**—(1) The Board of Trustees shall consist of the following members to be appointed by the Federal Government, by notification, namely :—

(a) the Secretary or Additional Secretary in the Labour and Local Bodies Division, who shall also be the Chairman of the Board of Trustees ;

(b) four persons to represent the Federal Government, one each from the Ministries of Finance, Commerce, Industries and Labour ;

(c) four persons to represent the Provincial Governments, one to be nominated by each of the Provincial Governments;

(d) four persons to represent employers;

(e) four persons to represent insured persons; and

(f) two persons to represent the Institution.

(2) Members to be appointed under clauses (d) and (e) of sub-section (1) shall respectively be chosen from a list of names submitted in the prescribed manner by the organisations of employers and employees recognised by the Federal Government for that purpose:

Provided that, pending the making of rules in this behalf, the first members to be so appointed shall be chosen from such persons as the Federal Government may deem fit.

7. **Powers and functions of the Board of Trustees.**—In addition to the powers conferred on, and the functions entrusted to it by the other provisions of this Ordinance, or by the rules, the Board shall have powers—

(a) to approve the budget estimates, the audited accounts and the annual report of the Institution for submission to the Federal Government in accordance with the provisions of this Ordinance; and

(b) to call for any information or direct any research to be made for the furtherance of the objects of the Ordinance.

CHAPTER III

CONTRIBUTIONS

8. **Rates and assessment.**—(1) On and from the first day of July, 1976, contributions shall be payable every month by the employer to the Institution in respect of every person in his insurable employment, at the rate of five per cent of his wages in the manner laid down in sub-section (2).

(2) Where an insured person is paid on monthly, fortnightly, or weekly basis, for the purposes of this Ordinance contributions in respect of him shall be payable for twenty-six days, thirteen days and six days, respectively, and if wages are payable for part for the month, fortnight or week, contributions shall be payable for the actual number of working days for which the wages are payable.

(3) Where an insured person does not receive any wages from the employer for any period, the Board shall determine the amount of wages with reference to which the contributions shall be computed.

(4) The employer shall not deduct from the wages of an insured person or otherwise recover from him any portion of the contribution, notwithstanding any agreement to the contrary.

(5) Where the mode of payment of remuneration, whether in cash or in kind, makes it difficult to determine the amount of wages for computing the contribution, the Institution may, subject to regulations, determine such wages.

(6) In the case of construction work, the owner of the building shall guarantee the payment of contributions by the contractor.

(7) In the case of works executed or undertakings carried on, on behalf of the State by a contractor or licensee, the competent public authority shall, before final settlement of the claims of the contractor or licensee arising out of the contract, require the production of a certificate from the Institution showing that the necessary contributions have been paid, and in default of such certificate, it shall deduct from the amount otherwise payable in settlement of such claim the appropriate amount of the contributions payable, and pay such amount direct to the Institution.

9. **Records and returns by employers.**—Every employer shall keep such records and shall submit to the Institution such returns, at such times, in such form and containing such particulars relating to persons employed by him, as may be provided in regulations.

10. **Officials of Institution to check employer's books.**—(1) Any official of the Institution, duly authorised by a certificate in a form specified in the regulations, may, for the purpose of inquiring into the correctness of any of the particulars stated in the records or returns referred to in section 9 or for the purpose of ascertaining whether any of the provisions of this Ordinance have been complied with—

(a) require an employer to furnish to him such information as he may consider necessary; or

(b) at any reasonable time, enter any establishment or other premises occupied by such employer and require any person found in charge thereof to produce and allow him to examine such accounts books and other documents relating to the employment of persons and payment of wages, or to furnish to him such information, as he may consider necessary; or

(c) examine, with respect to any matter relevant to the purposes aforesaid, the employer, his agent or any person found in such establishment or other premises, or any other person whom the said official has reasonable cause to believe to be or to have been an insured person.

(2) The official referred to in sub-section (1) shall be bound to secrecy as regards all matters with which he becomes acquainted in the performance of his duties and which do not relate to matters provided for in this Ordinance.

(3) If an employer fails to maintain records or to submit returns as required by the regulations, or otherwise fails to comply with the provisions of sub-section (1) and thereby makes it difficult to ascertain the identity of persons required to be insured or the amount of contribution payable, the contribution shall be assessed on the basis of such evidence as the Institution may find satisfactory for this purpose.

11. **Increase of unpaid contribution and recovery of contribution, etc., as arrears of land revenue.**—(1) If any employer fails to pay, on the due date the contribution payable by him under sub-section (1) of section 8, the amount so payable by him shall be increased by such percentage or amount as may be prescribed:

Provided that in no case shall such increase exceed fifty per cent of the amount due.

(2) Without prejudice to any other remedy, the amount of the contribution due, together with the increase provided for under sub-section (1), may be recovered as an arrear of land revenue.

12. **Safeguard of insured person's right in default of payment of contributions by employer.**—In the event of default in payment of contributions by the employer in respect of an insured person, such insured person shall, unless he has connived at such default, have and enjoy the same rights under this Ordinance as if no such default had occurred.

13. **Return of contributions paid erroneously.**—An employer shall be entitled to the refund of any contribution paid to the Institution under erroneous belief that it was payable under the provisions of this Ordinance, and shall be entitled to the refund of excess amount of the contribution where such contribution had been paid at a higher rate than the rate prescribed :

Provided that where a contribution was paid under the erroneous belief that a person was an insured person, any sum paid to such person (or his dependents) by way of benefits shall, in so far as possible, be deducted from the amount of such refund :

Provided further that no contribution or excess amount of any contribution shall be refunded unless an application for such refund is made within six months of the date on which the contribution was paid.

14. **Extinguishment of claims to contributions.**—Any claims of the Institution for unpaid contributions shall be extinguished in the manner provided in the regulations.

CHAPTER IV

FINANCE AND AUDIT

15. **Employees' Old-Age Benefits Fund.**—(1) The Institution shall have its own fund, to be called the Employees' Old-Age Benefits Fund and may incur out of the Fund such expenditure as may be necessary for the purposes of this Ordinance.

(2) All contributions paid under this Ordinance and all other moneys received by or on behalf of the Institution shall be paid into the Fund.

(3) The Institution shall derive its revenues from the following sources—

(a) contributions payable under this Ordinance and the rules ;

(b) all other payments made by the employers under this Ordinance and the regulations ;

(c) income from investment of the moneys of the Institution ; and

(d) donations and bequests for the purposes of this Ordinance.

(4) The assets of the Institution shall be utilised solely for the purposes of this Ordinance.

(5) The moneys of the Institution shall be deposited in such banks as may be approved by the Board for the purpose.

16. **Investments and loans.**—(1) Subject to rules, the Institution may, from time to time, invest any moneys which are not immediately required for expenses under this Ordinance, and may reinvest or realise such investment.

(2) The Institution may, with the previous sanction of the Federal Government and on such terms as it may specify, raise loans and take measures for discharging such loans.

17. **Budget, accounts and audit.**—(1) The Institution shall draw up annually a budget showing the anticipated receipts and expenditure during the following year and shall submit it to the Board for approval.

(2) The Institution shall maintain accounts of its income and expenditure in such form and manner as may be prescribed.

(3) The accounts of the Institution shall be audited at such time and in such manner as may be prescribed.

18. **Annual Report.**—The Institution shall submit to the Federal Government an annual report of its work and activities.

19. **Valuation of assets and liabilities.**—The Institution shall, at intervals of not more than five years, have an actuarial valuation made of its assets and liabilities :

Provided that the Federal Government may direct a valuation to be made at such other times as it may consider necessary.

CHAPTER V

BENEFITS

20. **Old-Age allowance.**—(1) An insured person shall be entitled to old-age allowance at the rate of seventy five rupees per month provided that—

(a) he is over fifty-five years of age or, in the case of a woman, fifty years ;

(b) he has retired from insurable employment ; and

(c) contributions in respect of him were payable for not less than fifteen years.

Provided that the old-age allowance shall be increased by five rupees per month for every additional year of insurable employment beyond the age specified in clause (a).

(2) If, on the 1st day of July, 1976, an insured person is over forty years of age, or over thirty-five in case of a woman, clause (c) of sub-section (1) shall have effect as if for the word "fifteen" therein, the word "seven" were substituted.

(3) Subject to regulations, the old-age allowance shall commence as from the month following that in which the insured person satisfies the condition for entitlement thereto, provided that no allowance shall be payable retroactively for more than six months preceding the month in which an application for old-age allowance is submitted.

(4) Insurable employment of a person for the purposes of this Ordinance shall commence on the date from which the first contribution in respect of him becomes payable.

(5) The old-age allowance payable to an insured person shall be terminated at the end of the month in which the death of such person occurs.

(6) The old-age allowance may, at the request of an insured person, be commuted on such grounds and in such manner as may be specified in the regulations.

21. **Invalidity benefit.**—(1) An insured person who sustains invalidity shall be entitled to an invalidity allowance at the rate of seventy-five rupees per month, provided that—

(a) contributions in respect of him were payable for not less than fifteen years ; or

(b) contributions in respect of him were payable for not less than five years since his entry into insurable employment and for not less than three years preceding the month in which he sustains invalidity ; and

(c) in either case, he is under fifty five years of age, or fifty years in the case of a woman.

(2) Subject to regulations, the invalidity allowance shall be payable from the month following that in which the insured person satisfies the conditions for entitlement thereto :

Provided that the invalidity allowance shall not be payable retroactively for more than six months preceding the month in which an application for the invalidity allowance is submitted.

(3) The invalidity allowance shall be payable so long as invalidity continues :

Provided that an insured person who has been in receipt of the invalidity allowance for not less than five continuous years or attains the age specified in clause (a) of sub-section (1) of section 20 shall be entitled to the invalidity allowance for life.

CHAPTER VI

PROVISIONS COMMON TO ALL BENEFITS

22. **Calculation of qualifying contribution periods.**—In calculating the contribution periods for entitlement to a benefit under this Ordinance, periods in respect of which invalidity allowance has been paid to an insured person prior to his reaching the age of fifty-five years, or fifty years in the case of a woman, or periods in respect of which maternity benefit, or sickness benefit or injury benefit or total disablement pension have been paid under the West Pakistan Employees' Social Security Ordinance, 1965 (W.P. Ordinance No. X of 1965), to an insured person shall be deemed to be contribution periods to such extent as may be provided by regulations.

23. **Benefit claims and payments.**—(1) All claims for an allowance under this Ordinance shall be made in writing and shall be accompanied by such documents, information and evidence as to entitlement as may be provided by regulations.

(2) Payment of an allowance shall be made in such manner, and at such times and places, as may be provided by regulations.

24. **Extinguishment of benefits.**—(1) A right to the invalidity allowance shall stand extinguished where a claim therefor is not made within three years of the date on which the allowance becomes payable.

(2) A right to the old-age allowance shall stand extinguished where a claim thereof is not made within six months of the date on which the allowance becomes payable.

25. **Suspension of old-age allowance.**—Subject to regulations, payment of old-age allowance shall be suspended when and so long as the insured person entitled to it—

(a) has taken up insurable employment in which he earns more than the old-age allowance ;

(b) is absent from Pakistan, except where the regulations provide otherwise : or

(c) is serving a sentence of imprisonment or is otherwise detained under any law providing for preventive detention.

26. **Non-duplication of allowance.**—(1) An insured person shall not be paid for the same period more than one of the allowances provided for in this Ordinance.

(2) Where an insured person is entitled to more than one allowance under this Ordinance, he shall be given the higher of such allowances.

(3) Where an insured person is entitled to an allowance under this Ordinance and to a disablement pension under the West Pakistan Employees' Social Security Ordinance, 1965 (W.P. Ordinance No. X of 1965) he shall be given the higher of the two.

(4) The invalidity allowance shall not be payable to an insured person so long as he receives the sickness benefit under the West Pakistan Employees' Social Security Ordinance, 1965 (W.P. Ordinance No. X of 1965).

27. **Allowances not attachable, chargeable or assignable.**—An allowance payable under this Ordinance shall not be liable to attachment in the execution of a decree, nor shall it be chargeable or assignable ; and any agreement to charge or assign an allowance shall be void, and on the bankruptcy of an insured person, the allowance payable to him shall not pass to any trustee or person acting on behalf of his creditors.

28. **Repayment of allowance improperly received.**—(1) When a person has received any allowance under this Ordinance to which he is not lawfully entitled, he shall be liable to repay to the Institution the amount of the allowance in such manner as may be provided by regulations :

Provided that the Institution may waive repayment of an allowance where payment thereof was not due to misrepresentation on the part of the insured person receiving it and the repayment would cause undue hardship to him.

(2) Sums due to the Institution by virtue of the foregoing sub-section may be recovered by deduction from an allowance payable under this Ordinance.

29. **Institution's right to be indemnified in certain cases.**—Where the contingency for which an allowance is payable under this Ordinance was caused

under circumstances creating a legal liability in some person, the Institution shall be entitled to substitute itself for the insured person in bringing a suit for damages against that person.

30. **Recovery of amounts due.**—Any amount recoverable under this Chapter may be recovered as an arrear of land revenue.

CHAPTER VII

DETERMINATION OF QUESTIONS AND CLAIMS

31. **Decisions on complaints, questions and disputes.**—If any complaint is received or any question or dispute arises as to—

(a) whether a person is an insured person within the meaning of this Ordinance ;

(b) the rate of wages of an insured person for the purposes of this Ordinance ;

(c) the rate of contribution payable by an employer in respect of an insured person ;

(d) the person who is the employer in respect of an insured person ;

(e) entitlement to old-age or invalidity allowance or as to the amount and duration thereof ; or

(f) any other matter in respect of any contribution or any allowance referred to in clause (e), or dues payable or recoverable under this Ordinance relating to contributions or the aforesaid allowances ;

the matter shall be decided by the Institution, in such manner, and within such time, as the regulations may provide and the Institution shall notify its decision to the person concerned in writing, stating therein the reason for its decision.

32. **Review of decisions.**—The Institution may, subject to regulations, on new facts being brought to its notice, review a decision given by it under section 31 :

Provided that no decision shall be so reviewed without giving the person concerned an opportunity of being heard and adducing evidence in support of, or against, the decision, as the case may be.

33. **Appeal to Board.**—Subject to rules, a person aggrieved by a decision of the Institution under section 31 or on a review under section 32, may appeal to the Board.

34. **Assessment of invalidity.**—The Institution shall appoint medical boards which shall, in such manner as may be provided by regulations, assess the degree of invalidity sustained by an insured person.

CHAPTER VIII

OFFENCES AND PENALTIES

35. **Offences.**—If any person—

(a) for the purpose of obtaining an allowance, or denial of any payment or allowance, under this Ordinance, whether for himself or some other person, or for the purpose of avoiding any payment to be made by himself or any other person under this Ordinance—

(i) knowingly makes or causes to be made false statement or false representation ; or

(ii) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he knows to be false in any material particular ; or

(b) fails to pay any contribution which under this Ordinance he is liable to pay ; or

(c) recovers or attempts to recover from an insured person, or deducts or attempts to deduct from his wages, the whole or any part of the contribution ; or

(d) fails or refuses to submit any return required by this Ordinance, or regulations or makes a false return ; or

(e) obstructs any official of the Institution in the discharge of his duties ; or

(f) is guilty of any contravention of, or non-compliance with, any of the provisions of this Ordinance or the rules or the regulations ;

he shall be punished with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

36. **Prosecution.**—(1) No prosecution under this Ordinance shall be instituted except with the previous sanction of the Federal Government or any officer or authority authorised in this behalf by it.

(2) No court inferior to that of a Magistrate of the first class shall try any offence under this Ordinance.

(3) No court shall take cognizance of any offence under this Ordinance except on a complaint made in writing within six months of the date on which the offence comes to the knowledge of the Federal Government or an officer or authority referred to in sub-section (1).

CHAPTER IX

MISCELLANEOUS

37. **Contributions, etc.**—In any proceedings for winding up of a company, any contribution or other amount payable under this Ordinance by such person or company shall be deemed to be included among debts to be paid in priority to all other debts.

38. **Exemption from stamp duty.**—Stamp duty shall not be chargeable upon any documents used in connection with allowances payable under this Ordinance.

39. **Exemption from taxes.**—Notwithstanding anything contained in any other law, the Federal Government may, by order in writing, exempt the Institution from any tax, duty, or rate leviable by the Federal Government or by a local authority under the control of the Federal Government.

40. **Contracting.**—Where any person (hereafter in this section referred to as the principal) in the course of or for the purposes of his trade or business contracts with any other person (hereafter in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work which is ordinarily part of the trade or business of the principal, the principal shall be liable to pay in respect of an insured person employed in the execution of any work contributions under section 8 which he would have been liable to pay if that insured person had been immediately employed by him.

41. **Member and servants of the Institution to be public servants.**—The members of the Board and all officers and servants of the Institution shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

42. **Delegation of powers.**—The Board may direct that all or any of its powers and functions may, in relation to such matters and subject to such conditions, if any, as may be specified, be also exercisable by any, officer or authority subordinate to the institution.

43. **Power to make rules.**—(1) The Federal Government may, subject to the condition of previous publication, by notification in the official Gazette, make rules to carry out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(i) the tenure of office of members of the Board, other than the Chairman, and other terms and conditions of appointment of the members of the Board and the manner in which the Board shall conduct its business, including the number of members required to form a quorum at the meetings thereof ;

(ii) the manner in which names of persons from whom members of the Board may be appointed shall be submitted by organisations of employers and employees recognised by the Federal Government for that purpose ;

(iii) powers and functions of the Board ;

(iv) fees and allowances of the members of Board ;

(v) times and rates at which, and conditions subject to which, contributions shall be payable ;

(vi) percentage or amount by which contributions in arrears may be increased under section 11 ;

(vii) investment of surplus moneys, realisation of investments and reinvestment of proceeds ;

(viii) terms at which and the manner in which the budget of the Institution shall be prepared and submitted to the Federal Government ;

(ix) the forms and manner in which the Institution shall keep accounts of its income and expenditure and of its assets and liabilities ;

(x) the times at which, and the manner in which, the accounts of the Institution shall be audited ;

(xi) the matters which the annual report of Institution shall cover ;

(xii) the times in which claims for an allowance shall be made ;

(xiii) the manner and procedure for disposal of appeals by the Board ; and

(xiv) any other matter which is required to be or may be prescribed.

44. **Power to make regulations.**—(1) The Board may subject to the condition of previous publication, by notification in the official Gazette, make regulations not inconsistent with the provisions of this Ordinance or the rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely :—

(i) the time and places at which meetings of the Board shall be held ;

(ii) the manner in which daily wages shall be calculated for the purpose of determining the contribution payable ;

(iii) determination of wages for computation of contributions where the mode of payment of remuneration, in cash or kind, makes such computation difficult ;

(iv) records to be kept and returns to be submitted by emyloyers, time at which and the form in which such returns are to be submitted, and particulars relating to the insured persons to be stated in such returns and the manner and form for registration of employers and insured persons ;

(v) the manner in which any claim of the Institution for unpaid contributions may be extinguished ;

(vi) powers and duties of internal auditors ;

(vii) procedure and method of calculations and terms and conditions for the commutation of old-age allowance ;

(viii) the form and manner in which claims for an allowance shall be preferred, and the documents, information and evidence which shall accompany such claims ;

(ix) the manner in which and the time and places at which payment in respect of an allowance shall be made ;

(x) the manner in which and the time within which complaints, questions and disputes shall be decided ;

(xi) the circumstances and the manner in which, on new facts coming to light, the Institution may review decisions ;

(xii) the method of payment of contributions and liability thereof ;

(xiii) the manner in which invalidity shall be assessed and the procedure thereof ;

(xiv) the manner in which proof of age shall be furnished for the purposes of this Ordinance ;

(xv) the manner in which the services of the Institution shall be organised ; and

(xvi) any other matter not provided for in this Ordinance or the rules and necessary to give effect to the provisions of this Ordinance.

45. **Power to exempt.**—The Federal Government may, subject to such conditions as it thinks fit to impose, by notification in the official Gazette, exempt any establishment or industry from all or any of the provisions of the Ordinance.

46. **Ordinance not to apply to certain persons.**—Nothing in this Ordinance shall apply to—

(a) persons in the service of the State, including members of the armed forces, police force and Railway servants;

(b) persons in the service of a local council, a municipal committee, a cantonment board or any other local authority;

(c) persons who are employed in services or installations connected with or incidental to the Armed Forces of Pakistan including an ordnance factory maintained by the Federal Government or Railway adminis-tration;

(d) persons in the service of Water and Power Development Authority;

(e) persons in the service of bank or a banking company;

(f) persons in the service of statutory bodies other than those employed in or in connection with the affairs of a factory registered under section 2 (j) of the Factories Act, 1934 (XXV of 1934), or the Mines Act, 1923 (IV of 1923):

Provided that workshops maintained exclusively for the purposes of repair or maintenance of equipment or vehicles used in such statutory bodies shall not be treated as factories for the purposes of this clause;

(g) members of the employer's family living in his house, in respect of their work for him; and

(h) any person employed on wages exceeding one thousand rupees per mensem.

47. **Repeal.**—The Employees' Old-Age Pension Ordinance, 1972 (X 1972), is hereby repealed.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned by
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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ISLAMABAD, FRIDAY, DECEMBER 26, 1975

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 26th December, 1975

No. F. 24 (1)/75. Pub.—The following Ordinance made by the President on the 23rd December, 1975 is hereby published for general information :—

ORDINANCE No. XXVIII OF 1975

AN

ORDINANCE

further to amend the Political Parties Act, 1962

WHEREAS it is expedient further to amend the Political Parties Act, 1962 (III of 1962), for the purpose hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement.**—(1) This Ordinance may be called the Political Parties (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. **Substitution of section 8, Act III of 1962.**—In the Political Parties Act, 1962 (III of 1962), for section 8 the following shall be substituted and shall

Price : Ps. 6

[7213 Ex. Gaz.]

be deemed to have been so substituted on the twenty-ninth day of October, 1975, namely :—

> "8. *Certain disqualifications for being a member of Parliament or a Provincial Assembly.*—A person who has been an office bearer of a political party dissolved under sub-section (2) of section 6 or who has been convicted under section 7 shall be disqualified—
>
> (*a*) from being a member of Parliament or a Provincial Assembly ; and
>
> (*b*) from being elected or chosen as a member of Parliament or a Provincial Assembly for a period of five years from the date of such dissolution or conviction, as the case may be.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 29th December, 1975

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 27th December, 1975 is hereby published for general information :—

ORDINANCE No. XXIX OF 1975

AN

ORDINANCE

to provide for the trial by a Special Court of certain offences

WHEREAS it is expedient to provide for the trial by a Special Court of certain offences affecting the security, integrity or sovereignty of Pakistan or any part thereof, including offences of high treason, and for matters connected therewith ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Criminal Law Amendment (Special Court) Ordinance, 1975.

Price : Ps. 19

[7238 Ex. Gaz.]

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898);

(b) "Special Court" means the court set up under section 4.

3. **Certain offences triable by Special Court.**—(1) Any offence punishable under sections 121, 121A, 122, 123 and 123A of the Pakistan Penal Code (Act XLV of 1860), and any offence punishable under the High Treason (Punishment) Act, 1973 (LXVIII of 1973), including an offence of conspiracy to commit any such offence, whether committed before or after the commencement of this Ordinance, shall be tried by the Special Court in accordance with the provisions of this Ordinance.

(2) No court other than the Special Court shall try an offence which is triable by the Special Court under sub-section (1).

(3) If, in the course of a trial before the Special Court, the Court is of opinion that an accused before it has committed or appears to have committed any offence other than an offence referred to in sub-section (1), the Special Court shall record such opinion and refer such accused for the trial of such other offence to a court having jurisdiction to try the offence.

4. **Special Court.**—(1) For the purposes of section 3, the Federal Government shall, by notification in the official Gazette, set up a Special Court composed of three persons each of whom is a Judge of a High Court, and shall nominate one of the said persons to be the President of the Special Court.

(2) If any member of the Special Court through death, illness or any other reason is unable to continue to perform his functions, the Federal Government may, by notification in the official Gazette, declare the office of such member to be vacant and appoint thereto another person qualified to hold the office.

(3) If, in the course of a trial, any member of the Special Court is, for any reason, unable to attend any sitting thereof, the trial may continue before the other two members.

(4) The Special Court shall not merely by reason of any change in its membership or the absence of any of its members from any sitting be bound to recall and rehear any witness who has already given any evidence and may act on the evidence already given or produced before it.

(5) In the event of any difference of opinion among the members of the Special Court, the opinion of the majority shall prevail and the decision of the Special Court shall be expressed in terms of the views of the majority.

5. **Commencement of proceedings.**—(1) The Federal Government shall forward to the Special Court, on behalf of the prosecution, a complaint in the form of a statement of the case to be tried by the Court, together with a list of the accused persons, formal charges of offences alleged to have been committed by each one of them and a list of witnesses intended to be produced in support of each charge.

(2) For the purpose of taking cognizance of a case under this Ordinance no other complaint would be necessary under any other law.

(3) The submission of a complaint or a list of witnesses or formal charges under sub-section (1) shall not preclude—

(a) the Federal Government from submitting an amended or additional statement of the case or charge at any time before judgment is pronounced, or

(b) the Federal Government or the prosecution from submitting additional names of witnesses at any subsequent stage of the prosecution evidence in the case.

6. **Powers and procedure of Special Court.**—(1) The Special Court shall have, in respect of a case triable by it, all the powers which a High Court has in relation to a trial before it under the Code, and shall follow the procedure provided in the Code for such trial except as hereinafter provided, namely :—

(a) the formal charges referred to in section 5 shall be deemed to be the charges in the trial for the purposes of section 265F of the Code ;

(b) the persons mentioned in the list of accused persons referred to in sub-section (1) of section 5 and the offences with which they are charged shall be tried together ;

(c) the proceedings of the Special Court shall be recorded under its direct supervision :

Provided that, if the Special Court so directs, the evidence of any witness may be taken down in shorthand or typescript by a person specially appointed for the purpose ; and the transcript of the shorthand or the typescript with necessary corrections shall form part of the record ; and

(d) all orders and proceedings and the evidence of each witness shall be signed by at least two members of the Special Court and the final judgment shall be signed by each of the three members.

(2) The Special Court shall have the power to punish any person who obstructs or abuses its process or disobeys any of its orders or directions, or does anything which tends to prejudice the case of a party before it, or tends to bring it or any of its members into hatred or contempt, or does anything which, by law, constitutes contempt of court, with simple imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees, or with both.

7. **Place of sitting.**—The Special Court shall hold its sittings at such place or places as the Federal Government may appoint.

8. **Proceedings to be open.**—Subject to any restriction imposed by the Special Court, its proceedings shall be open to the public.

9. **Restriction of adjournments.**—No trial before the Special Court shall be adjourned for any purpose unless the Special Court is of opinion that the adjournment is necessary in the interests of justice and, in particular, no trial shall be adjourned by reason of the absence of any accused person, if such accused person is represented by counsel, or if the absence of the accused or his counsel has been brought about by the accused person himself, or if the behaviour of the accused person prior to such absence has been, in the opinion of the Special Court, such as to impede the course of justice but, in any such case, the Special Court shall proceed with the trial after taking necessary steps to appoint an advocate to defend any such accused person.

10. **Special rules of evidence.**—(1) The Special Court may receive in evidence,—

(a) any statement recorded by a Magistrate, being a statement made by any person who, at the time of the trial, is dead, or cannot be found or whose attendance cannot be procured without any amount of delay or expense which the Special Court considers unreasonable in the circumstances ;

(b) any statement or confession of an accused person recorded by a Magistrate under the Code, whether before or after the registration of a case triable by the Special Court ; and

(c) any previous judgment of a Special Court constituted under the Suppression of Terrorist Activities (Special Court) Ordinance, 1974 (XVIII of 1974), or the Suppression of Terrorist Activities (Special Courts) Act, 1975 (XV of 1975) :

Provided that such statement, confession or judgment is relevant to the trial or proceedings before it.

(2) No objection to any document or property seized in the course of the investigation being received or produced in evidence shall be entertained on any ground other than a ground affecting its admissibility under the Evidence Act, 1872 (I of 1872).

11. **Provision for counsel.**—(1) The Federal Government may appoint one or more persons to conduct the prosecution in a case forwarded to the Special Court for trial and every such person shall be deemed to be a public prosecutor for the purposes of the Code.

(2) Where an accused person is not represented by counsel, the Special Court may, at any stage of the case, direct that a counsel, being any advocate selected by it after taking into consideration the views of the accused person, shall be engaged at the expense of the Federal Government to defend the accused person and may also determine the fees to be paid to such counsel.

12. **Jurisdiction, etc., of Special Court not to be questioned.**—(1) No Court shall entertain any plea as to the jurisdiction of the Special Court or as to the legality or propriety of anything done or purported to be done by the Special Court or order the release under section 491 or section 498 of the Code or any other law of any accused person in a case triable by the Special Court for so long as the Court is seized of the case.

(2) Save as provided in sub-section (3), no order, judgment or sentence of the Special Court shall be called in question in any manner whatsoever in or before any court or other authority.

(3) Any party aggrieved by the final judgment of the Special Court may prefer n appeal to the Supreme Court within thirty days of the passing of the judgment.

13. **Ordinance to override all other laws.**—The provisions of this Ordinance shall have effect notwithstanding anything contained in the Code, the Evidence Act, 1872 (I of 1872), or any other law for the time being in force.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

No. F. 24 (1)/75-Pub.—The following Ordinance made by the President on the 27th December, 1975 is hereby published for general information :—

ORDINANCE No. XXX OF 1975

AN

ORDINANCE

further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (Act V of 1898), for the purposes hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Code of Criminal Procedure (Amendment) Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of section 491, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (Act V of 1898), hereinafter referred to as the Code, in section 491, in sub-section (3), after the words, comma and figure " Security of Pakistan Act, 1952 " at the end the comma and words ", or any other law providing for preventive detention " shall be added.

3. **Amendment of section 497, Act V of 1898.**—In the Code, in section 497, in sub-section (1), in the second proviso, the commas, words and figure ", without prejudice to the provisions of section 498" shall be omitted.

4. **Insertion of new section 498A, Act V of 1898.**—In the Code, after section 498 amended as aforesaid, the following new section shall be inserted, namely :—

> "498A. *No bail to be granted to a person not in custody, in court or against whom no case is registered, etc.*—Nothing in section 497 or section 498 shall be deemed to require or authorise a Court to release on bail, or to direct to be admitted to bail, any person who is not in custody or is not present in court or against whom no case stands registered for the time being and an order for the release of a person on bail, or a direction that a person be admitted to bail, shall be effective only in respect of the case that so stands registered against him and is specified in the order or direction.".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

No. F. 24 (1)|75-Pub.—The following Ordinance made by the President on the 27th December, 1975 is hereby published for general information :—

ORDINANCE No. XXXI OF 1975

AN

ORDINANCE

further to amend the Code of Civil Procedure, 1908

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908 (Act V of 1908), for the purpose hereinafter appearing ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance :—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Code of Civil Procedure (Amendment) Ordinance, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of First Schedule, Act V of 1908.**—In the Code of Civil Procedure, 1908 (Act of 1908), in the First Schedule, in Order XXXIX, after rule 4, the following new rule shall be inserted, namely :—

> "4A. *Injunction to cease to be in force after certain period.*—An injunction granted by a Court in a suit which seeks to question the validity or legal effect of any order made, proceeding taken or act done by any authority or person, which has been made, taken or done, or purports to have been made, taken or done, under any law which is specified in Part I of the First Schedule to the Constitution or relates to, or is connected with, assessment or collection of public revenues shall cease to have effect on the expiration of a period of sixty days following the day on which it is made, unless the case is finally decided, or the injunction is discharged or set aside, by the Court earlier.
>
> *Explanation.*—In this rule, 'public revenues' includes the dues of any bank owned by the Federal Government or of any corporation or undertaking owned or controlled by the Federal Government or a Provincial Government.".

3. **Certain injunctions to cease to be in force.**—An injunction such as is referred to in rule 4A of Order XXXIX in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), granted by a Court before the commencement of this Act shall cease to have effect on the expiration of sixty days from such commencement, unless the case is finally decided or the injunction is discharged or set aside, by the Court earlier.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAUL HAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 1st August, 1975

No. F. 24 (2)|75-Pub.—The following Order made by the President on the 28th July, 1975 is hereby published for general information :—

THE FEDERAL ADAPTATION OF LAWS ORDER, 1975

PRESIDENT'S ORDER No. 4 OF 1975

WHEREAS clause (1) of Article 268 of the Constitution provides that, except as provided by the said Article, all existing laws shall, subject to the Constitution, continue in force, so far as applicable and with the necessary adaptations, until altered, repealed or amended by the appropriate Legislature ;

AND WHEREAS clause (3) of the said Article provides that, for the purpose of bringing the provisions of any existing law into accord with the provisions of the Constitution (other than Part II of the Constitution), the President may by Order, make such adaptations, whether by way of modification, addition or omission, as he may deem to be necessary or expedient ;

AND WHEREAS it is necessary to make certain adaptations in the laws in force immediately before the commencing day ;

NOW, THEREFORE, in exercise of the powers aforesaid, the President is pleased to make the following Order :—

1. **Short title and commencement.**—(1) This Order may be called the Federal Adaptation of Laws Order, 1975.

(2) It shall come into force at once.

Price : Ps. 62

2. **Adaptation of laws.**—(1) The laws specified in the Schedule shall, until repealed or amended by the competent authority, have effect and be deemed to have at all material times had effect subject to the adaptations directed by the Schedule.

(2) References to any law in the Schedule shall be construed as references to that law as amended or modified by any subsequent law previous to this Order and as in force immediately before the commencement of this Order.

(3) Whenever an expression mentioned in the first column of the table below occurs (otherwise than in a title or preamble or in a citation or description of an enactment) in an existing law, whether a law mentioned in the Schedule or not, then, unless that expression is by this Order expressly directed to be otherwise adapted or modified, or to be omitted, there shall be substituted therefor the expression set opposite to it in the second column of the said table.

TABLE OF GENERAL ADAPTATIONS

(1)	(2)
Central	*Federal*
Centrally Administered Tribal Areas.	Federally Administered Tribal Areas.
Central Consolidated Fund.	Federal Consolidated Fund.
Central Corporation.	Federal Corporation.
Central Corporations.	Federal Corporations.
Central Government.	Federal Government.
Centrally.	Federally.
Central Pensions.	Federal Pensions.
Central Public Service Commission.	Federal Public Service Commission.
Centre.	Federation.
Commander-in-Chief of the Pakistan Air Force.	Chief of the Air Staff.
Commander-in-Chief of the Pakistan Army.	Chief of the Army Staff.
Commander-in-Chief of the Pakistan Navy.	Chief of the Naval Staff.
Mussalman : Muhammadan.	Muslim.

(4) Where this Order requires that in any specified law, or in any section or portion thereof, certain words shall be substituted for certain other words, or that certain other words shall be omitted, that substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that law or, as the case may be, in that section or portion.

The SCHEDULE

(Statutes adapted)

[*See* Article 2(1)]

Year of the Statute	Number of the Statute	Short title of the Statute	Adaptations
1	2	3	4
		ACTS	
1841	X	The Registration of Ships Act, 1841.	SECTION 26A.—Omit this section.
1850	XII	The Public Accountants' Default Act, 1850.	SECTION 3.—*For* " the State " *Substitute* " Pakistan ".
1851	VIII	The Tolls Act, 1851.	NEW SECTION 1B.—Aftar section 1A, insert the following new section :— " 1B *Definition.*—In this Act, 'appropriate Government' means— (*a*) in relation to national highways and strategic roads declared as such by or under a Federal law, the Federal Government ; and (*b*) in relation to other matters, the Provincial Government.". SECTION 2.—*For* " Provincial Government ", occurring for the first time, *Substitute* " appropriate Government ".
1864	XV	The Tolls Act, 1864.	SECTION 3.—(a) *For* " Provincial Government " *Substitute* " appropriate Government " ; and (*b*) add the following Explanation at the end :— " *Explanation.*—For the purpose of this section, 'appropriate Government' has the same meaning as in section 1B of the Tolls Act, 1851 (VIII of 1851). ".
1867	XXIII	The Punjab Murderous Outrages Act, 1867.	*For* " West Pakistan " *Substitute* " the Punjab".
1869	IV	The Divorce Act, 1869.	SECTION 3.—In clause (2), in sub-clause (a), omit comma occurring after " Province ", and insert " or the Federal Capital,".
1873	V	The Government Savings Banks Act, 1873.	SECTION 9.—Omit " the State in ".
1878	I	The Opium Act, 1878.	SECTION 1.—*For* paragraphs second and third *Substitute* the following :— " It extends to the whole of Pakistan.". SECTION 3.—(*a*) In the definition of the word " sale ", *for* the fullstop *Substitute* a semicolon ; and

1	2	3	4
			(*b*) after the definition of the word "sale", insert the following :— "appropriate Government" means— (*a*) in relation to import and export or import and export across customs frontiers as defined by the Federal Government, the Federal Government ; and (*b*) in relation to other matters, the Provincial Government.". SECTION 5, 7, 8, 13, 14, 19 and 23.—*for* "Provincial Government" *Substitute* "appropriate Government".
1878	XI	The Arms Act, 1878.	SECTION 4.—For the definition of "appropriate Government" *Substitute* the following :— "appropriate Government" means— (*a*) in relation to military stores ; and import, export and inter-provincial trade or transport, the Federal Government ; and (*b*) in relation to other matters, the Provincial Government :".
1878	XVII	The Ferries Act, 1878.	Throughout the Act, except in section 33, *for* "Provincial Government" *substitute* "appropriate Government". SECTION 1.—*For* ", the North-West Frontier and the district of sylhet" *Substitute* "and the North-West Frontier Province". NEW SECTION 3A.—After section 3, insert the following new section :— "3A. *Definition*—In this Act, "appropriate Government" means— (*a*) in relation to national highways and strategic roads delcared as such by or under a Federal law, the Federal Government ; and (*b*) in relation to other matters the Provincial Government.". SECTION 17.—*For* "Province" *Substitute* "Federation or of the Province, as the case may be".
1882	IV	The Transfer of Property Act, 1882.	SECTION 1.—(*a*) Omit "it extends in the first instance to East Pakistan."; and (*b*) in the third paragraph,— (*i*) *for* "But this" ***Substitute*** "This"; and (*ii*) *for* "West Pakistan" ***Substitute*** "a Province".

1	2	3	4
1884	IV	The Explosives Act, 1884	SECTION 4.—In clause (7), omit " manufacture,". SECTION 14.—In sub-section (1),— (*a*) in clause (a), *for* " appropriate Government " *Substitute* " Federal Government " ; and (*b*) in clause (b), omit " or any Provincial Government ".
1886	VI	The Births, Deaths and Marriages Registration Act, 1886.	SECTION 1.—In sub-section (2), *for* " Central Government " *Substitute* " Provincial Government ".
1886	XI	The Tramways Act, 1886.	SECTION 2.—In sub-section (1), *for* " North-West Frontier " *Substitute* " North-West Frontier Province ".
1888	VIII	The Tools Act, 1888.	SECTION 2.—(a) Omit " beyond the limits of such of the territories administered on the 4th of July, 1851, by the Lieutenant-Governor of Bengal as on the fifteenth of August, 1947, formed part of East Bengal " ; (b) *for* " Provincial Government " *Substitute* " appropriate Government " ; and (c) add the following Explanation at the end :— " Explanation.—For the purpose of this section, ' appropriate Government ' has the same meaning as in section 1 B of the Tools Act, 1851 (VIII of 1851). "
1890	IX	The Railways Act, 1890.	Throughout the Act, except in clause (18) of section 3, sections 8-A, 11, 12, 51, 144, 146 and 147, for " Provincial Government " *substitute* " Federal Government ". SECTION 12.—(a) After " use of land ", insert or if the Federal Government desires to construct a national highway or a strategic road " ; and (b) for " Provincial Government ", occurring for the second time, *Substitute* " Federal Government ". SECTION 71B.—In sub-section (1), for " North-Western Railway and the Eastern Bengal Railway " *Substitute* " Pakistan Railways ". SECTION 144.—*For* ", 51 and 83 " *Substitute* " and 51 ". SECTION 147.—*For* this section *Substitute* the following :— "147.—The Provincial Government, in relation to sections 8A, 11 and 51, and the Federal Government, in relation to the remaining provisions of the Act, may, by notification in the official Gazette, exempt any railway from the operation thereof. "

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1891	XVI	The Courts of Admiralty (Pakistan) Act, 1891.	SECTION 2.—*For* clauses (i) and (ii) *substitute* the following :— " (*i*) the Lahore High Court ; (*ii*) the Peshawar High Court ; and (*iii*) the Sind and Baluchistan High Court". SECTION 4.—Omit " at Karachi ".
1897	X	The General Clauses Act, 1897.	SECTION 3.—(a) In clause (3c), for the colon at the end Substitute a comma and thereafter add the following :— " and after the first day of July, 1970, the Province of Baluchistan, comprising the territories mentioned in the Schedule to the Province of West Pakistan (Dissolution) Order, 1970 :"; (b) in clause (8ab),— (*i*) in sub-clause (c), omit " and " occurring at the end ; and (*ii*) in sub-clause (d), for the colon at the end substitute " ; and " and thereafter add the following :— " (*e*) in relation to anything done or to be done, after the fourteenth day of August, 1973, mean the Prime Minister and the Federal Ministers ; and shall include in relation to functions entrusted to the Government of a Province, the Provincial Government acting within the scope of the authority given to or power conferred on it by the Federal Government " ; (c) in clause (8ac), after " the Constitution of 1962 ", insert " or the Federal Legislature acting under the Interim Constitution of 1972, or Parliament acting under the Constitution of 1973 " ; (d) in clause (13a), *for* " eight day of June, 1962 " *Substitute* " fourteenth day of August, 1973 " ; (e) in clause (24), after " shall mean ", insert " on or after the first day of July, 1970, the Lahore High Court, Peshawar, High Court, and Sind and Baluchistan High Court; and as respects the period after fourteenth day of October, 1955, and before the first day of July, 1970, " ; (f) in clause (34al), for the colon at the end Substitute a comma and thereafter add the following :— " and on or after the first day of July, 1970, the North-West Frontier Province comprising the territories mentioned in the Schedule to the Province of West Pakistan (Dissolution) Order, 1970 : " ;

1	2	3	4
			(g) in clause (40),— (*i*) in sub-clause (a), *for* " or leased areas " *Substitute* " and as respects the period after the twenty-first day of April, 1972, mean the principal officer by whatever name called representing the Federal Government in the Federally Administered Tribal Areas " ; and (*ii*) in sub-clause (b),— (*a*) after " 1955, ", insert " and before the twenty-first day of April, 1972, " ; and (*b*) after " , Tribal Areas ", insert " , and as respects the period after the twenty-first day of April 1972, mean the principal officer by whatever name called representing the Federal Government in the Federal Administered Tribal Areas and the Provincial Government in the Provincially Administered Tribal Areas " ;
			(h) in clause (43), after " shall mean ", insert " the Provinces of Baluchistan, the North-West Frontier, the Punjab or Sind, as respects the period after the fourteenth day of October, 1955, and before the first day of July, 1970, ";
			(i) in clause (43ai), after " Constitution of 1962", insert " or an Act passed by a Provincial Assembly established under the Interim Constitution of 1972, or the Constitution of 1973 " ;
			(j) in clause (43a), after sub-clause (aa), insert the following new sub-clause :— " (*aaa*) as respects any thing done or to be done after the fourteenth day of August, 1973, shall mean the Chief Ministers and the Provincial Ministers and shall include, in relation to functions entrusted to the Federal Government, the Federal Government acting within the scope of authority given to it by the Provincial Government " ;
			(k) in clause (44al) for the colon at the end substitute a semi-colon and thereafter add the following :— " and on or after the first day of July, 1970, the Province of the Punjab comprising the territories mentioned in the Schedule to the Province of West Pakistan (Dissolution) Order 1970 " :

1	2	3	4

(l) in clause (44a); for the colon at the end substitute a comma and thereafter add the following :—

> " or by the Provincial Assembly of the Punjab under the Constitution of 1973 " :

(m) in clause (46); for the colon at the end substitute a comma and thereafter add the following :—

> " or by the President or by the Governor under Article 247 of the Constitution of 1973 " :

(n) in clause (52a1), after " 1955 " at the end add the following :—

> " and on or after the first day of July 1970 the Province of Sind comprising the territories mentioned in the Schedule to the Province of West Pakistan (Dissolution) Order, 1970 " ;

(o) in clause (52a) for the colon at the end substitute a comma and thereafter add the following :—

> " or by the Provincial Assembly of Sind under the Constitution of 1973: " ; and

(p) for clause (55a) substitute the following :—

" (55a) " Tribal Areas " shall

- (*i*) as respects the period after the first day of July, 1970 mean the areas in Pakistan which immediately before that day were the Tribal and include—
  - (*a*) the Tribal Areas of Baluchistan and the North-West Frontier Province ; and
  - (*b*) the former States of Amb, Chitral, Dir and Swat ;
- (*ii*) as respects the period on or after the tenth day of January 1964, and before the first day of July, 1970 mean the areas in the Province of West Pakistan which, on the thirteenth day of October 1955 were—
  - (*a*) the Tribal Areas of Baluchistan the Punjab and the North-West Frontier ; and
  - (*b*) the States of Amb, Chitral, Dir and Swat;
- (*iii*) as respects the period on or after the eight day of June, 1962, and before the tenth day of January, 1964, mean the areas

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			in the Province of West Pakistan which, on the thirteenth day of October, 1955, were— (*a*) the Tribal Areas of Baluchistan, the Punjab and the North-West Frontier ; and (*b*) the States of Amb, Chitral, Dir and Swat and the area in the Province of East Pakistan known as Chittagong Hill Tract ; (*iv*) as respects the period on or after the twenty-third day of March, 1956, and before the eight day of June, 1962, mean the areas of the Province of West Pakistan which immediately before the commencement of the Establishment of West Pakistan Act, 1955, were— (*a*) the Tribal Areas of Baluchistan, the Punjab and the North-West Frontier ; and (*b*) the States of Amb, Chitral, Dir and Swat ; and (*v*) as respects the period before the twenty-third day of March, 1956, mean the areas in Pakistan which immediately before that day were the Tribal Areas and include— (*a*) the Tribal Areas of Baluchistan, the Punjab and the North-West Frontier Province ; and (*b*) the States of Amb, Chitral, Dir and Swat. ".
1898	V	The Code of Criminal Procedure, 1898.	SECTION 178.—After " 1962 ", insert " or under Article 205 of the Interim Constitution of 1972 or under Article 203 of the Constitution of 1973 ". SECTION 188.—In the first proviso, *for* " Provincial Government " *substitute* " Federal Government ". SECTION 411A.—In sub-section (1), for " Article 58 " substitute " Article 185 ". SECTION 503.—In sub-section a(2), after " 1962 " insert ", or under sub-clause (d) of clause (2) of Article 1 of the Constitution of 1973, ". SECTION 555.—*For* " Articles 101 and 102 " *substitute* " Articles 202 and 203 ".
1908	V	The Code of Civil Procedure, 1908.	SECTION 60.—In sub-section (1), in the proviso, in paragraph (p), in Explanation 3,— (*a*) in clause (i), after " any servant ", insert " of railway or " ; and (*b*) in clause (iii), omit " railway or of any other ".

1	2	3	4
			SECTION 80.—In sub-section (1), in clause (b), in sub-clause (ii), *for* " Provincial Government " *substitute* " Federal Government ".
			SECTION 109.—For this section substitute the following :— " 109. *When appeals lie to the Supreme Court.*—An appeal from a judgement, decree or final order of a High Court shall lie to the Supreme Court— (*a*) if the amount or value of the subject matter of the dispute in the court of first instance was and also in appeal is (unless varied by an Act of Parliament) fifty thousand rupees or upward and the judgement, decree or final order appealed from has varied or set aside the judgement, decree or final order of the court immediately below ; or (*b*) if the judgement, decree or final order involves, directly or indirectly, some claim or question respecting property of the like amount or value and the judgement, decree or final order appealed from has varied or set aside the judgement, decree or final order of the court immediately below ; or (*c*) if the High Court certifies that the case involves a substantial question of law as to the interpretation of the Constitution.".
			SECTION 110.—Omit this section.
			SECTION 112.—In sub-section (1), in clause (a), for " 58 of the Constitution or any other provision of that Constitution " substitute " 191 of the Constitution or any other provision thereof ".
			SECTION 114.—For this section substitute the following :— " 114.—*Review.*—(1) Subject as aforesaid, any person considering himself aggrieved— (*a*) by a decree or order from which an appeal is allowed by this Code, but from which no appeal has been preferred, (*b*) by a decree or order from which no appeal is allowed by this Code, or (*c*) by a decision on a reference from a Court of Small Causes,

1	2	3	4
			may apply for a review of judgement to the Court which passed the decree or made the order, and the Court may make such order thereon as it thinks fit. (2) Nothing contained in sub-section (1) shall apply to a review of any judgement pronounced or any order made by the Supreme Court.". SECTION 126.—*For* "President" *substitute* "Federal Government". *ORDER XVL* RULE 1.—For this rule substitute the following :— "1. in this Order, unless there is something repugnant in the subject or context, the expression "decree" shall include a judgement or a final order.". RULE 3.—(*a*) For sub-rule (1) substitute the following :— "(1) A petition made under rule 2 shall briefly state the grounds of appeal and pray for a certificate." ; (*b*) in sub-rule (2), for the fullstop at the end substitute a colon and thereafter add the following proviso :— "Provided that no notice shall be directed to be served on or given to the opposite party or to the legal representative of a deceased opposite party in a case where such opposite party did not appear either at the hearing in the court whose decree is complained of or at any proceedings subsequent to the decree of that court." ; and (*c*) after sub-rule (2), add the following new sub-rules :— "(3) The court may, if the opposite party in response to the notice issued under sub-rule (2) appears, after hearing both the parties, or if the opposite party does not appear in response to such notice, then after hearing the party making the petition, grant or refuse the certificate. (4) If on the date fixed for the hearing, the party making the petition does not appear and the opposite party appears in response to such notice or if both the parties do not appear on such date, the petition shall be dismissed.". RULE 6.—Omit this rule. RULE 9A.—Omit this rule.

1	2	3	4
			ORDER XLVII
			RULE 9.—For this rule substitute the following :— "9.—*Bar of certain applications.*—(1) No application to review an order made on an application for a review or a decree or order passed or made on a review shall be entertained. (2) Nothing in this Order shall apply to any judgement pronounced or order made by the Supreme Court.".
1908	XV	The Ports Act, 1908.	SECTION 3.—In clause (9), *for* " for all purposes" *substitute* " the declaration and delimitation of such ports and the constitution and powers of port authorities therein ".
1908	XVI	The Registration Act, 1908.	SECTION 70D.—In sub-section (2),— (*a*) omit " Bengali in the case of the Province of East Pakistan, and in "; and (*b*) omit " in the case of the Province of West Pakistan ,".
1909	III	The Insolvency (Karachi Division and Dacca) Act, 1909.	LONG TITLE AND PREAMBLE.—Omit " and Dacca ". SECTION 1.—In sub-section (1), omit " and Dacca ". SECTION 2.—In clause (bbb), for " the Bench of the High Court of West Pakistan at Karachi " substitute " Sind and Baluchistan High Court ". SECTION 3.—For " the Bench of the High Court of West Pakistan at Karachi and the High Court of East Pakistan " substitute " Sind and Baluchistan High Court ".
1912	IV	The Lunacy Act, 1912.	SECTION 3.—In clause (1), omit " the Central Government or ". SECTION 89B.—In sub-section (1), in clause (a), *for* " Provincial Government of the Province in which the reception order or the order under section 25, as the case may be, was made " *substitute* " Federal Government".
1913	VII	The Companies Act, 1913.	THE THIRD SCHEDULE.—(*a*) In Form A, in the 2nd paragraph, *for* " East Pakistan " *substitute* " Sind "; (*b*) in Form C, in the 2nd paragraph, *for* " East Pakistan " substitute " the Punjab " ; and (*c*) in Form D, in the 2nd paragraph, for " West Pakistan " *substitute* " Sind ".
1914	IX	The Local Authorities Loans Act, 1914.	SCHEDULE 1.—Omit " The Trustees of the Port of Chittagong.".

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1916	VII	The Medical Degrees Act, 1916.	SCHEDULE.—(*a*) In entry 1, *for* "Central Legislature" *substitute* "appropriate Legislature" and thereafter add the following :— "*Explanation.*—In relation to a university established in the Federal Capital the 'appropriate Legislature' means Parliament, and in relation to a university established in a Province means the Provincial Assembly concerned."; and (*b*) Omit entry 2.
1917	I	The Inland Mechanically Propelled Vessels Act, 1917.	SECTION 74A.—(*a*) *For* "If the Central Government by notification in the official Gazette declares" *substitute* "If the Provincial Government is of the opinion"; and (*b*) *for* "the Provincial Government shall" *substitute* "it may". SECTION 74C.—Omit "with the prior concurrence of the Central Government".
1917	XXVI	The Transfer of Property (Validating) Act, 1917.	SECTION 1.—In sub-section (2), *for* "It shall extend, in the first instance, to the United Provinces of Agra and Oudh, provided that the" *substitute* "The".
1920	V	The Provincial Insolvency Act, 1920.	LONG TITLE AND PREAMBLE.—*For* "towns of Karachi and Dacca" *substitute* "Karachi Division". SECTION 1.—In sub-section (2), omit "and Dacca". SECTION 2.—In sub-section (1), in clause (b),— (*a*) *for* "Bench of the High Court of West Pakistan at Karachi" *substitute* "Sind and Baluchistan High Court"; and (*b*) Omit "and Dacca". SECTION 10.—In sub-section (2), omit "and Dacca". SECTION 82.—In clause (a), omit "and Dacca".
1922	—	The States (Protection against Disaffection) Act, 1922.	SECTION 5.—*For* "Provincial Government" *substitute* "Federal Government".
1923	III	The Cotton Transport Act, 1923.	SECTION 2.—For the fullstop at the end of clause (g) substitute a semi-colon and thereafter add the following new clause :— "(h) "appropriate Government" means in relation to the transport of cotton across the customs frontiers and inter-provincial trade and commerce, the Federal Government and, for other purposes, the Provincial Government.".

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			SECTION 3.—In sub-section (1), *for* "Provincial Government" *substitute* "appropriate Government".
			SECTION 7.—In sub-section (1), for "Provincial Government" substitute "appropriate Government".
			SECTION 8.— (*a*) *For* "Provincial Government" *substitute* "appropriate Government"; (*b*) *for* "Legislative Assembly of the Province" *substitute* "Parliament or, as the case may be, the Provincial Assembly"; and (*c*) after "Resolution of", insert "Parliament or of".
1923	IV	The Mines Act, 1923.	SECTION 3.—In clause (aa), *for* "nuclear substances, oilfields and gasfields" *substitute* "nuclear substances, mineral oil, natural gas and liquids and substances declared by Federal Law to be dangerously inflammable, oilfields and gasfields".
1923	V	The Boilers Act, 1923.	SECTION 3.—In sub-section (2), *for* "Provincial Government" *substitute* "Federal Government".
1923	XIX	The Official Secrets Act, 1923.	SECTION 2.—In clause (2A), *for* "Third Schedule" *substitute* "Federal Legislative List in the Fourth Schedule".
1923	XXI	The Merchant Shipping Act, 1923.	SECTION 282.—In sub-section (1), *for* "the other Province" *substitute* "any other Province—".
1925	IV	The Soldiers (Litigation) Act, 1925.	SECTION 3.—In clause (c). (*a*) in sub-clause (i), for ",or" substitute fullstop; and (*b*) omit sub-clause (ii).
1925	XIX	The Provident Funds Act, 1925.	SECTION 2.—In clause (f), for sub-clause (ii) substitute the following :— "(ii) the manager of any railway administered by the Federal Government or the manager of any tramway administered by a Provincial Government; and".
1929	XXI	The Transfer of Property (Amendment) Supplementary Act, 1929.	SECTION 15.—In sub-section (2), *for* "Central Government" *substitute* "Provincial Government".
1930	II	The Dangerous Drugs Act, 1930.	SECTION 39.—In sub-section (1), *for* "Local or Provincial Legislature" *substitute* "Provincial Assembly".
1930	XIX	The Companies (Amendment) Act, 1930.	SECTION 3.—In sub-section (2), *for* "entry 13 in the Third Schedule" *substitute* "entry 31 of the Federal Legislative List in the Fourth Schedule".
1932	VIII	The Bengal Criminal Law Amendment (Supplementary) Act, 1932.	SECTION 2.—In the proviso, in paragraph (b), omit "outside East Pakistan".

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1932	IX	The Partnership Act, 1932	SECTION 69.—In sub-section (3), in clause (b), omit "and Dacca".
1934	XI	The States (Protection) Act, 1934.	SECTION 1.—In sub-section (3), *for* "Provincial Government" *substitute* "Federal Government". SECTION 4.—In sub-sections (3) and (4), *for* "Provincial Government" *substitute* "Federal Government". SECTION 7.—Omit", if the offence is committed outside Pakistan, and the Provincial Government in other cases".
1936	III	The Parsi Marriage and Divorce Act, 1936.	SECTION 51.—*For* "Articles 101 and 102" *substitue* "Articles 202 and 203".
1938	V	The Manoeuvres, Field Firing and Artillery Practice Act, 1938.	*For* "Provincial Government" *substitute* "Federal Government".
1940	V	The Trade Marks Act, 1940.	SECTION 4A.—Omit this section. 1940.
1940	XXIII	The Drugs Act, 1940.	SECTION 3.—(a) In clause (b), in sub-clause (v), *for* "Central Government" *substitute* "appropriate Government"; (*b*) in clause (e), for fullstop at the end substitute semi-colon; and (*c*) after clause (e), add the following new clause :— "(*f*) "appropriate Government" means in relation to any matter in Chapter III and IIIA, the Federal Government and, in relation to any matter in Chapter IV, the Provincial Government.". SECTION 5.—(*a*) in sub-section (2), in clauses (vi) and (vii), for "Two" substitute "Four"; and (b) Omit sub-section (2a).
1941	XXV	The Railways (Local Authorities, Taxation) Act, 1941).	*For* "Provincial Government" *substitute* "Federal Government".
1942	XIX	The Industrial Statistics Act, 1942.	*For* "Provincial Government" *substitute* "appropriate Government". SECTION 2.—For the fullstop at the end substitute a semi-colon and thereafter add the following :— "and the "appropriate Governemt" means, in relation to industries the development where-of under Federal control has been declared by a Federal law to be expedient in the public interest, the Federal Government and, in relation to other industries, the Provincial Government.".

(1)	(2)	(3)	(4)
1946	XXI	The Merchant Seamen (Litigation) Act, 1946.	*For* " Central Government" *substitute* "Provincial Government".
1948	XVII	The Protection of Ports (Special Measures) Act, 1948.	SECTION 1.—*For* sub-section (2) *substitute* the following :— "(2) It may, at any time by notification in the official Gazette be extended by the Federal Government to any port in Pakistan".
1949	XIII	The Development of Industries (Government Control) Act, 1949.	SECTION 2.—For clause (c), *substitute* the following :— "(*c*) "appropriate Government" means, in relation to industries relating to or connected with any matter enumerated in the Federal Legislative List in the Fourth Schedule to the Constitution, including industries the development whereof under Federal control is declared by Federal law to be expedient in the public interest, the Federal Government and, in relation to other industries, the Provincial Government.".
1950	XI	The Continuance of Legal Proceedings Act, 1950.	SECTION 3.—(*a*) In clause (i), *for* the semi colon *substitute* "; and"; (*b*) omit clause (ii); and (*c*) in clause (iii), *for* "North-West Frontier, Baluchistan or the Karachi Division be continued by or against West Pakistan" *substitute* "North-West Frontier Province or Baluchistan be continued by or against that Province".
1950	XXXIX	The Imports and Exports (Control) Act, 1950.	SECTION 2.—In clause (c), *for* "the Provinces" *substitute* "Pakistan".
1950	LXIV	The Finance (Supplementary) Act, 1950.	SECTION 14.—Omit this section.
1952	II	The Central Excises (Distribution of Revenue) Act, 1952.	SECTION 2.—*For* "Central duties" *substitute* "Federal duties".
1952	XXXIX	The Pakistan Army Act, 1952.	Throughout the Act, except in sub-section (3) of section 8, *for* "Commander-in-Chief", *substitute* "Chief of the Army Staff". SECTION 8.—Omit sub-section (3). SECTION 9A.—*For* sub-section (2) *substitute* the following :— "(2) The form of oath or affirmation prescribed under this section shall contain a promise that the warrant officer will bear true faith and allegiance to

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			Pakistan and uphold the Constitutuion of the Islamic Republic of Pakistan which embodies the will of the people, that he will not engage himself in any political activities whatsoever and that he will honestly and faithfully serve Pakistan in the Pakistan Army as required by or under the law, and that he will obey all commands of any officer set over him, even to the peril of his life.". SECTION 15.—*For* sub-section (2) *substitute* the following :— "(2) The form of oath or affirmation prescribed under ths section shall contain a promise that the person to be attested will bear true faith and allegiance to Pakistan and uphold the Constitution of the Islamic Republic of Pakistan which embodies the will of the people, that he will not engage himself in any political activities whatsoever and that he will honestly and faithfully serve Pakistan in the Pakistan Army as required by or under the law, and that he will obey all commands of any officer set over him, even to the peril of his life.".
1953	VI	The Pakistan Air Force Act, 1953.	Throughout the Act, except in clause (xiii) of section 4, *for* "Commander-in-Chief" *substitute* "Chief of the Air Staff". SECTION 4.—Omit clause (xiii). SECTION 17.—*For* sub-section (2) *substitute* the following :— "(2) The form of oath or affirmation prescribed under this section shall contain a promise that the person to be attested will bear true faith and allegiance to Pakistan and uphold the Constitution of the Islamic Republic of Pakistan which embodies the will of the people, that he will not engage himself in any political activities whatsoever and that he will honestly and faithfully serve Pakistan in the Pakistan Air Force as required by or under the law, and that he will obey all commands of any officer set over him, even to the peril of his life.".
1953	XXXVI	The Pakistan Junior Cadet Corps Act, 1953.	Throughout the Act, except in clause (b) of section 2, for "Commander-in-Chief" *substitute* "Chief of the Army Staff". SECTION 2.—Omit clause (b). SECTION 6.—In sub-section (2), after "1962" add "or under clause (2) of Article 56 of the Interim Constitution of 1972 or under clause (2) of Article 243 of the Constitution of 1973"

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1956	XXXIII	The State Bank of Pakistan Act, 1956.	SECTION 7.—In sub-section (1), *for* ",Lahore and Dacca" *substitute* "and Lahore".
			The Schedule.—Omit Paragraph 3.
1956	XLV	The Transfer of Evacuee Deposits Act, 1956.	SECTION 1.—In sub-section (2), *for* "West Paktan" *substitute* "the whole of Pakistan".
1957	III	The Essential Commodities Act, 1957.	SECTION 2.—In clause (al), omit "and the regulation of production of an essential commodity".
1957	VII	The Evacuee Property (Multiple Allotments) Act, 1957.	*For* "Central Government" *substitute* "Provincial Government".
			SECTION 1.—*For* sub-section (3) *substitute* the following :— "(3) It shall come into force at once.".
1958	X	The Undesirable Companies Act, 1958.	SECTION 12.—*For* "West Pakistan" *substitue* "Sind".
1958	XLI	The Agricultural Census Act, 1958.	SECTION 8.—*For* "Provincial Government" *substitute* "Federal Government".
1963	XII	The Indecent Advertisements Prohibition Act, 1963.	*For* "Central Government" *substitute* "Provincial Government".
1963	XVIII	The Censorship of Films Act, 1963.	*For* "Central Government" *substitute* "Provincial Government".
1964	II	The Tribal Areas (Restoration of Jurisdiction) Act, 1964.	SECTION 2.—(a) *For* "High Court of West Pakistan" *substitute* "High Court of Sind and Baluchistan"; and
			(*b*) *for* "them" *substitute* "the Supreme Court or, as the case may be, the High Court of West Pakistan".
			SECTION 3.—*For* "High Court of West Pakistan" *substitute* "High Court of Sind and Baluchistan".
1965	XXI	The Civil Services (Qualification for Appointment as High Court Judge) Act, 1965.	SECTION 2.—For "Article 92" *substitute* "Article 193".
1966	XVI	The Cantonments Pure Food Act, 1966.	SECTION 2.—*For* clause (5) *substitute* the following :— "(5) "Chemical Examiner" means the Chemical Examiner to the Provincial Government, and includes any other officer appointed by the Federal Government to be a Chemical Examiner for the purposes of this Act;".
1972	I	The National and Provincial Assemblies (Qualifications for Membership) Act, 1972.	SECTION 2.— *For* "Aritcle 76 of the Interim Constitution" *substitute* " Article 63 of the Constitution ".
			SECTION 3.—*For* " Article 116 " *substitute* " Article 113 ".

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1972	XXII	The Foreign Exchange (Previntion of payments) Act, 1972.	SECTION 2.—In sub-section (1), omit " (M.L.R. 104), as continued in force by Article 280 of the Interim Constitution of the Islamic Republic of Pakistan".
			ORDINANCES
1942	LXVI	The Armed Forces (Special Powers) Extension Ordinance, 1942.	SECTION 2.—*For* " The Central Government" *substitute* "A Provincial Government ".
1948	X	The Essential Personnel (registration) Ordinance, 1948.	SECTION 7.—*For* the Explanation *substitute* the following :— "*Explanation.*—'Appropriate Government' in relation to Schedules I and II means the Federal Government and the Provincial Government and, in relation to other Schedules, the Provincial Government.". THIRD SCHEDULE.—Omit items 16 to 20 in column 1 and the entries relating thereto in columns 2 to 4. FOURTH SCHEDULE.—*For* " Government of Pnkistan Ministry of Labour. Departemnt of Manpower and Employment " *substitute.* " Government of—— (*Name of the Province*) Department of—— (*Name of the department concerned*) Directorate of—— (*Name of the directorate concerned*)". FIFTH SCHEDULE.—*For* "Government of Pakistan Ministry of Labour. Department of Manpower and Employment" *Substitute* "Government of—— (*Name of the Province*) Department of—— (*Name of the department concerned*) Directorate of—— (*Name of the directorate concerned*)".
1949	XIX	The National Bank of Pakistan Ordinance, 1949.	SECTION 8.—In sub-section (5),— (*a*) *after* "Provincially Administered Tribal Areas,", *insert* " and " ; and (*b*) omit " and the area served by the branch register maintained at Dacca shall consist of East Pakistan". SECTION 13.—*For* " Three " *substitute* " Two"; and (*b*) *for*' 'Karachi, Dacca" *substitute* " Karachi".

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1959	III	The Public Conduct (Scrutiny) Ordinance, 1959.	SECTION 2.—(*a*) *For* " Article 242 " *substitute* " Article 260 "; (*b*) omit " Minister,"; and (*c*) *for* " Comptroller and Auditor-General " *substitute* " Auditor-General ".
1959	XIII	The Control of Shipping Ordinance, 1959.	SECTION 12A.—Omit this section.
1959	XXVI	The Frontier Corps Ordinance, 1959.	SECTION 3.—*For* " West Pakistan " *substitute* " Pakistan ".
1959	XLVI	The Tea Ordinance, 1959.	SECTION 3.—In sub-section (1),— (*a*) in clause (aa), omit " of whom at least one shall represent the estates in Chittagong District and the Chittagong Hill Tracts " ; (*b*) omit clauses (d) and (dd) ; and (*c*) in clause (e), *for* " of whom one shall be nominated by the Central Government and the other by the Government of East Pakistan " *substitute* " to be nominated by the Federal Govenment ".
			SECTION 8.—In sub-section (2), *for* " Accountant General, East Pakistan " *substitute* " Auditor-General of Pakistan ".
			SECTION 9.—In sub-section (1), omit clause (b).
1960	II	The Pakistan Refugees Rehabilitation Finance Corporation Ordinance, 1959.	SECTION 1.—In sub-section (3), *for* " West Pakistan *substitute* " Baluchistan ".
			SECTION 13.—In sub-section (1), *for* "Comptrolle and Auditor-General " *substitute* " Auditor-General".
1960	XXIII	The Capital Development Authority Ordinance, 1960.	SECTION 44.—In sub-section (1), *for* " Comptroller and Auditor-General " *substitute* " Auditor-General ".
			THE SCHEDULE.—In the second paragraph, *for* " West Pakistan " *substitute* " Pakistan ".
1960	XXXIX	The Coal Mines (Fixation of Rates of Wages) Ordinance, 1960.	SECTION 1.—In sub-section (2), *for* " West Pakistan " *substitute* " Pakistan ".
1960	XLVI	The Public Investments (Financial Safeguards) Ordinance, 1960.	SECTION 2.—(*a*) In clause (b), *for* " the other Province " *substitute* " any other Province " ; and (*b*) in clause (c),— (*i*) *for* " both of " *substitute* " more of " ; (*ii*) *for* " both the " *substitute* " two or more of " ; (*iii*) omit " two " ; and (*iv*) in sub-clause (ii), omit " two ".

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1961	IV	The Agricultural Development Bank Ordinance, 1961.	SECTION 2.—Omit clause (d).
			SECTION 7.—In sub-section (2), *for* ", Sukkur, Sylhet, Dacca and Rajshahi " *substitute* "and Sukkur ".
			SECTION 12.—In sub-section (1), omit ", of whom at least one shall be a person belonging to East Pakistan and one to one of the other Provinces ".
1961	VIII	The Muslim Family Laws Ordinance, 1961.	SECTION 6.—In sub-section (4), *for* ", in the case of West Pakistan, to the Collector and, in the case of East Pakistan, to the Sub-Divisionl Officer" *substitute* "to the Collector".
			SECTION 9.—In sub-section (2), *for* ", in the case of West Pakistan, to the Collector and, in the case of East Pakistan, to the sub-Divisional Officer " *substitute* " to the Collector ".
1961	XVII	The Pakistan Ordinance Factories Board Ordinance, 1961.	SECTION 2.—Omit clause (a).
1961	XXV	The Petroleum Products (Development Surcharge) Ordinance, 1961.	THE SECOND SCHEDULE.—Omit items 7, 8, 14, and 15.
			THE FOURTH SCHEDULE.—Omit item 4.
1961	XXXI	The Industrial Development Bank of Pakistan Ordinance, 1961.	SECTION 8.—In sub-section (1),— (*a*) *for* " Karachi, Lahore and Dacca " *substitute* " Karachi and Lahore "; and (*b*) *for* " three " *substitute* " two ".
			SECTION 13.—In sub-section (1),— (*a*) in clause (b), (*i*) *for* " six " *substitute* " five "; and (*ii*) in sub-clause (ii), *for* " five " *substitute* " four " ; and (*b*) in clause (c), (*i*) *for* " six " *substitute* " four " ; and (*ii*) *for* " three registers " *substitute* " two registers ".
			SCHEDULE II.—Omit paragraph 3.
1961	XXXV	The Pakistan Navy Ordinance, 1961.	*For* " Commander-in-Chief " *substitute* " Chief of the Naval Staff ".
1961	XXXVII	The Oil and Gas Development Corporation Ordinance, 1961.	SECTION 11.—In sub-section (2), omit " in East and West Pakistan ".

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			SECTION 18.—In sub-section (1), omit "the Comptroller and Auditor-General of Pakistan hereafter in this section referred to as".
1961	XLIV	The Conciliation Courts Ordinance, 1961.	SECTION 2.—*For* clause (c), *substitute* the following :— "(*c*) "Controlling Authority" means the Deputy Commissioner;".
1962	XXXII	The Medical and Dental Council Ordinance, 1962.	THE FIRST SCHEDULE.—Omit "University of Dacca" in the first column and the entries relating thereto in the second and third columns.
1962	XXXVIII	The Provincial Industrial Development Corporation (West Pakistan) Ordinance, 1962.	SECTION 1.—In sub-section (2), *for* "West Pakitan" *substitute* "Pakistan".
			SECTION 2.—In clause (e), *for* "Provincial Government" *substitute* "Federal Government".
			SECTION 15.—In sub-section (2), in clause (c), *for* "Central Government" *substitute* "Government".
			SECTION 15E.—In sub-sections (1) and (2), *for* "Government and the Central Government" *substitute* "Government".
			SECTION 18.—Omit "the Comptroller and Auditor-General, hereinafter referred to as".
			SECTION 20.—In sub-section (2), for "Provincial Assembly of West Pakistan" *substitute* "National Assembly".
			SECTION 21A.—In sub-section (1),— (*a*) *for* "Provincial Assembly of West Pakistan" *substitute* "National Assembly"; and (*b*) *for* "Provincial Assembly" occurring for the second time *substitute* "National Assembly".
1962	LVII	The Banking Companies Ordinance, 1962.	SECTION 20.—In sub-section (1A), *for* clause (a) *substitute* the following :— "(a) a Federal Minister, a Minister of State or a Provincial Minister ; or".
			SECTION 91.—*After* "Central Act", *insert* "or an Act of Parliament".
1962	LXXI	The Abbottabad Joint Development Board Ordinance, 1962.	SECTION 2.—Omit sub-section (1).
1962	LXXII	The Martial Law (Confirmation of Sentences) Ordinance, 1962.	SECTION 2.—Omit clause (a).
			SECTION 3.—*For* "Commander-in-Chief" *substitute* "Chief of the Army Staff".

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1962	LXXIV	The Jute Ordinance, 1962.	SECTION 3.—In sub-section (1),—
			(*a*) *for* colon *substitute* fullstop ; and (*b*) omit the proviso.
1963	IV	The National Shipping Corporation Ordinance, 1963.	SECTION 5.—In sub-section (3),—
			(*a*) *for* colon *substitute* fullstop ; and (*b*) omit the proviso.
			SECTION 9.—In sub-section (1), in clause (b), for " four " *substitute* " eight ".
1963	VI	The Capital of the Republic (Determination of Area) Ordinance, 1963.	SECTION 2.—*For* " West Pakistan " *substitute* " the Punjab ".
1965	XII	The Aircraft (Removal of Danger to Safety) Ordinance, 1965.	SECTION 2.—In clause (a), omit " Dacca Civil Airport,".
1965	XXXII	The Control of Employment Ordinance, 1965.	SECTION 4.—Omit Sub-section (1A).
			SECTION 8.—Omit sub-section (2A).
1969	XIX	The Defence Services (Inquiry) (Special Provisions) Oridnance, 1969.	*For* " Commander-in-Chief " *substitute* " Chief of Staff ".
		PRESIDENT'S ORDERS	
1956	P.O. No. 14 of 1956	The Hoarding and Black Market Order, 1956.	ARTICLE 14.—In clause (3), *for* " High Court of West Pakistan " *substitute* " Sind and Baluchistan High Court ".
1957	P.O. No. 5 of 1957	The Karachi Development Authority Order, 1957.	ARTICLE 11.—*For* " Federal Capital " *substitute* " Karachi Division ".
			ARTICLE 13A.—*For* " Comptroller and Auditor-General " *substitute* " Auditor-General ".
			ARTICLE 25.—*For* " Comptroller and Auditor-General " *substitute* " Auditor-General ".
			ARTICLE 45.—*For* " Federal Capital " *substitute* " Karachi Division ".
			ARTICLE 47.—*For* " Federal Capital " *substitute* " Karachi Division ".
			ARTICLE 111.—*For* " Federal Capital " *substitute* " Karachi Division ".
			ARTICLE 137.—*For* " Federal Capital " *substitute* " Karachi Division ".
1958	P.O. No. 8 of 1958.	The Gwadur (Government and Administration) Order, 1958.	*For* " West Pakistan " *substitute* "Baluchistan ".

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1960	P.O. No. 20 of 1960	The Seat of Government Order, 1960.	ARTICLE 3.—*For* "West Pakistan" *substitute* "the Punjab".
			ARTICLE 4.—Omit this Article.
1961	P.O. No. 12 of 1961	The Acceding State (Property) Order, 1961.	For "Central Government" *substitute* "Provincial Government".
1968	P.O. No. 1 of 1968	The Supreme Court Judges (Leave, Pension and Privileges) Order, 1968.	ARTICLE 2.—(a) In clause (a), *for* "Article 53" substitute "Article 180";
			(b) in clause (b), *for* "Article 54" *substitute* "Article 181";
			(c) for clause (e) substitute the following :—
			"(e) "High Court" means the High Court of a Province and includes—
			(*i*) as respects the period commencing on the twenty-first day of April, 1972, and ending on the thirteenth day of August, 1973, a High Court within the meaning of the Interim Constitution of 1972;
			(*ii*) as respects the period commencing on the twentieth day of December, 1971, and ending on the twentieth day of April, 1972, a High Court within the meaning of the Proclamation of the twentieth day of December, 1971;
			(*iii*) as respects the period commencing on the twenty-fifth day of March, 1969, and ending on the nineteenth day of December, 1971, a High Court within the meaning of the Provisional Constitution Order;
			(*iv*) as respects the period commencing on the eighth day of June, 1962, and ending on the twenty-fourth day of March, 1969, a High Court within the meaning of the Constitution of 1962;
			(*v*) as respects the period commencing on the seventh day of October, 1958, and ending on the seventh day of June, 1962, a High Court continued in being by the Laws (Continuance in Force) Order, 1958;
			(*vi*) as respects the period commencing on the twenty-third day of March, 1956, and ending on the sixth day of October, 1958, a High Court within the meaning of the Constitution of 1956; and
			(*vii*) as respects any period prior to the twenty-third day of March, 1956, a Court which was a High Court within the meaning of section 219 of the Government of India Act, 1935; "; and

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			(d) for clause (j) *substitute* the following :— "(*j*) "Supreme Court" means the Supreme Court of Pakistan and includes— (*i*) as respects the period commencing on the twenty-first day of April, 1972, and ending on the thirteenth day of August, 1973, the Supreme Court within the meaning of the Interim Constitution of 1972 ; (*ii*) as respects the period commencing on the twentieth day of December, 1971, and ending on the twentieth day of April, 1972, the Supreme Court within the meaning of the Proclamation of twentieth December, 1971 ; (*iii*) as respects the period commencing on the twenty-fifth day of March, 1969, and ending on the nineteenth day of December, 1971, the Supreme Court within the meaning of the Provisional Constitution Order ; (*iv*) as respects the period commencing on the eighth day of June, 1962, and ending on the twenty-fourth day of March, 1969, the Supreme Court within the meaning of the Constitution of 1962 ; (*v*) as respects the period commencing on the seventh day of October, 1958, and ending on the seventh day of June, 1962, the Supreme Court continued in being by the Laws (Continuance in Force) Order, 1958 ; (*vi*) as respects the period commencing on the twenty-third day of March, 1956, and ending on the sixth day of October, 1958, the Supreme Court of Pakistan within the meaning of the Constitution of 1956 ; and (*vii*) as respects any period prior to the twenty-third day of March, 1956, the Federal Court within the meaning of the Government of India Act, 1935 ; and".
1971	P.O. No. 7 of 1971	The West Pakistan Water and Power Development Authority (Financing) Order, 1971.	ARTICLE 2.—In clause (1), *for* "Central projects" *substitute* "Federal projects".
1972	P.O. No. 6 of 1972	The National and Provincial Assemblies (Removal of Disqualification) Order, 1972.	ARTICLE 2.—(a) Omit clauses (a), (b) and (c) ; (b) in clause (d), *for* "member of the President's Council of Ministers" *substitute* "Federal Minister or a Minister of State" ; (c) in clause (f), *for* "member of a Governor's Council of Minister's" *substitute* "Provincial Minister" ; and (d) omit clause (h).

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1972	P.O. No. 9 of 1972	The Cooperative Societies (Reforms) Order, 1972.	ARTICLE 1.—In clause (2), omit " except the Province of East Pakistan ".
1972	P.O. No. 14 of 1972	The Martial Law (Pending Proceedings) Order, 1972.	ARTICLE 4.—Omit " by the President of Pakis-Pakistan, if the sentence is one of death, and in all other cases, ". ARTICLE 6.—In clause (1), *for* " Central Government " *substitute* " Provincial Government ".
1972	P.O. No. 18 of 1972	The Standing Power Rates Advisory Board Order, 1972.	ARTICLE 1.—In clause (2), omit " except the Province of East Pakistan ".

REGULATIONS

1	2	3	4
1963	I	The Tribal Areas (Official Secrets) Regulation, 1963.	Omit " of West Pakistan ".
1966	I	The Anti-Corruption Laws (Application to Tribal Areas) Regulation, 1966.	SECTION 2.—(a) In sub-section (1), *for* " West Pakistan " *substitute* " the North-West Frontier Province " ; and (b) in sub-section (2), *for* " West Pakistan " *substitute* " the Province of Baluchistan ".
1970	II	The Centrally Administered Tribal Areas Development Corporation Regulation, 1970.	*For* " Centrally Administered Tribal Areas Development Corporation " and " Centrally Administered Tribal Areas Development Corporation Fund " *substitute* " Federally Administered Tribal Areas Development Corporation " and " Federally Administered Tribal Areas Development Corporation Fund " respectively. SECTION 38.—In sub-sections (1) and (2), *for* " Comptroller and Auditor General " *substitute* " Auditor-General ".

WEST PAKISTAN ACTS

1	2	3	4
*1958	XXVI	The West Pakistan Mineral Development Corporation Act, 1958.	Throughout the Act, except in the Long title, the Preamble, sub-section (2) of section 1, clause (v) of section 2 and section 22, for " West Pakistan " *substitute* " Provincial ". SECTION 1.—*For* " the Province of West Pakistan, except Tribal Areas " *substitute* " Pakistan ". SECTION 2.—In clause (v), *for* " Government of West Pakistan " *substitute* " the Provincial Government ". SECTION 11.—*For* " Lahore " *substitute* " the principal seat of the Government ". SECTION 14.—In sub-section (2), at the end, add the following explanation :— " *Explanation.*—In this sub-section, the expression ' minerals ' means all minerals, except mineral oil, natural gas and mineral resources necessary for the generation of nuclear energy. "

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*Repealed by the Punjab Act No. XXXIII of 1975, in its application to the Punjab Province.

1	2	3	4
1958	XXVIII	The West Pakistan Control of Orphanages Act, 1958.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan except the Tribal Areas " *substitute* " Pakistan ". SECTION 2.—In clause (ii), *for* " Government of West Pakistan " *substitute* " Provincial Government ".
1958	XXXI	The West Pakistan Water and Power Development Authority Act, 1958.	SECTION 1.—In sub-section (2), *for* " West Pakistan, except the Karachi Area and the Tribal Areas " *substitute* " Pakistan, except the District of Karachi ". SECTION 2.—(a) In clause (iv), *for* " Government of the Province of West Pakistan " *substitute* " Federal Government " ; and (b) in clause (viii), *for* " Provincial Government " *substitute* " Government ". SECTION 8.—(a) In sub-section (1), *for* " West Pakistan " *substitute* " Pakistan " ; and (b) in sub-section (2), *for* " the Province " *substitute* " a Province ". SECTION 9.—*For* " West Pakistan " *substitute* " any Province ". SECTION 9A.—*For* this section *substitute* the following :— " 9A. Notwithstanding anything contained in this Act, the Authority may, with the previous approval of the Government, undertake the execution of any scheme framed or sponsored by a Provincial Government or any agency under the control of a Provincial Government or exercise technical supervision and administrative and financial control over the execution thereof on such terms and conditions as may be agreed to by the Authority on the one hand and the Provincial Government or, as the case may be, such agency in consultation with the Provincial Government on the other. SECTION 11.—In sub-section (1), in clause (i), in sub-clause (a), *for* " West Pakistan " *substitute* " a Province ". SECTION 16.—In sub-section (1), for " Government " *substitute* " Provincial Government ". SECTION 17.—(a) In the first proviso, *for* " the Province " *substitute* " a Province " ; and (b) in the first and second provisos *for* " Government " *substitute* " Provincial Government ". SECTION 21.—(a) In sub-section (2),— (*i*) *for* " Provincial Assembly of West Pakistan " *substitute* " National Assembly " ; and

1	2	3	4
			(*ii*) *for* " Provincial Assembly " occurring for the second time substitute " National Assembly " ; and
			(b) in sub-section (2A),—
			(*i*) *for* " Provincial Government " *substitute* " Federal Government " ; and
			(*ii*) *for* " Comptroller and Auditor-General " *substitute* " Auditor-General ".
			SECTION 28.—*For* " Comptroller and Aduitor-General " *substitute* " Auditor-General ".
1958	XXXV	The West Pakistan Abolition of Estate Duty (Agricultural Lands) Act, 1958.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan, except the Tribal Areas " *substitute* " Pakistan ".
1958	XXXVI	The West Pakistan Epidemic Diseases Act, 1958.	SECTION 1.—In sub-section (2), *for* the Province of West Pakistan, except the Tribal Areas " *substitute* " Pakistan ".
1962	V	The West Pakistan Muslim Personal Law (Shariat) Act, 1962.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan except the Tribal Areas " *substitute* " Pakistan ".
1964	XXXV	The West Pakistan Family Courts Act, 1964.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan, except the Tribal Areas " *substitute* " Pakistan ".
			SECTION 2.—In sub-section (1), in clause (c), *for* " Government of West Pakistan " *substitute* " Provincial Government ".
*1967	XVI	The West Pakistan Dowry (Prohibition on Display) Act, 1967.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan except the Tribal Areas " *substitute* " Pakistan ".

WEST PAKISTAN ORDINANCES

1	2	3	4
1958	XXXII	The West Pakistan Maternity Benefit Ordinance, 1958.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan except the Tribal Areas " *substitute* " Pakistan ".
			SECTION 2.—In sub-section (1),—
			(*a*) for clause (b) *substitute* the following :—
			"(*b*) " Director of Labour Welfare " means the head of the Labour Welfare Directorate of the Province, by whatever name called ; "; and
			(*b*) in clause (e), *for* " Government West Pakistan " *substitute* " Provincial Government ".
			SECTION 13.—In sub-section (4), omit " West Pakistan ".

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*Repealed by the N.W.F.P. Ord. No. XV of 1972, in its application to the N.W.F.P.

1	2	3	4
959	VII	The West Pakistan Agricultural Bank (Recovery of Dues) Ordinance, 1959.	SECTION 1.—In sub-section (2), *for* "the Province of West Pakistan, except the Tribal Areas" *substitute* "Pakistan".
1960	II	The West Pakistan Prohibition of Opium Smoking Ordinance, 1960.	SECTION 1.—In sub-section (2), *for* "the Province of West Pakistan except the Tribal Areas" *substitute* "Pakistan".
			SECTION 2.—In clause (c), *for* "Government of West Pakistan" *substitute* "Provincial Government".
	VIII	The West Pakistan Tolls on Roads and Bridges Ordinance, 1962.	SECTION 1.—In sub-section (2), *for* "the Province of West Pakistan, except the Tribal Areas" *substitute* "Pakistan".
			SECTION 2.—In clause (a), *for* "the Government of West Pakistan" *substitute* "in relation to national highways and strategic roads declared as such by or under a Federal law, the Federal Government; and in relation to other matters, the Provincial Government".
1963	XXX	The West Pakistan Press and Publications Ordinance, 1963.	SECTION 1.—In sub-section (2), *for* "the Province of West Pakistan, excluding the Tribal Areas" *substitute* "Pakistan".
			SECTION 2.—In clause (f), *for* "Government of West Pakistan" *substitute* "Provincial Government".
			SECTION 3.—*For* "West Pakistan" *substitute* "a Province".
			SECTION 21.—*For* "West Pakistan" *substitute* "a Province".
			SECTION 22.—In sub-section (1),— (*a*) *After* "National Assembly", *insert* "or the Senate"; (*b*) in clause (a), *after* "such an Assembly" *insert* "or the Senate"; (*c*) in clause (b), *after* "such Assembly", *insert* "or the Senate"; and (*d*) in clause (c), *after* "in respect of which", *insert* "the Chairman of the Senate or".
			SECTION 24.—(*a*) In sub-section (1),— (*i*) in clause (j), omit "two"; and (*ii*) in clause (k), *for* "the Province of West Pakistan" *substitute* "a Province"; and (*b*) in sub-section (2), *after* "National or Provincial Assembly" *insert* "or the Senate".
			SECTION 27.—In sub-section (1), *for* "West Pakistan" *substitute* "a province".
			SECTION 49.—In sub-section (2), *for* "West Pakistan" *substitute* "the Province concerned".

1	2	3	4
1965	X	The West Pakistan Employees' Social Security Ordinance, 1965.	SECTION 1.—(*a*) In sub-section (1), *for* "West Pakistan" *substitute* "Provincial"; and (*b*) in sub-section (2), *for* "West Pakistan, except the Tribal Areas" *substitute* "Pakistan". SECTION 2.—In clause (14), *for* "Government of West Pakistan" *substitute* "Provinci Government". SECTION 14.—As in force in the Provinc Baluchistan and Sind, *for* "Lahore" *sub* "the principal seat of the Government
1965	XIX	The West Pakistan Motor Vehicles Ordinance, 1965.	SECTION 1.—(*a*) In sub-section (1), *for* "West Pakistan" *substitute* "Provincial"; and (*b*) in sub-section (2), *for* "the Province of West Pakistan, except the Tribal Areas" *substitute* "Pakistan". SECTION 2.—In clause (12), *for* "Government of West Pakistan" *substitute* "Provincial Government". SECTION 25.—In sub-section (3), in the proviso, *for* "Governor of West Pakistan" *substitute* "Provincial Governor". SECTION 116- A.—In sub-section (3), *for* "West Pakistan" *substitute* "the Province". THE FIRST SCHEDULE.—(*a*) In Form A, *for* "West Pakistan" *substitute* "Provincial"; (*b*) in Form C, *for* "West Pakistan" *substitute* "______"; (Name of the Province) (*c*) in Form E, *for* "West Pakistan" *substitute* "Provincial"; (*d*) in Form I, *for* "West Pakistan" *substitut* "Provincial". (*e*) in Form J, in the Notes, *for* "West Pakistan" *substitute* "the Province"; and (*f*) in Form K, in the Notes, *for* "West Pakistan" *substitute* "the Province".
*1968	I	The Civil Procedure (Special Provisions) Ordinance, 1968.	SECTION 2.—In clause (c), *for* "Government of West Pakistan" *substitute* "Provincial Government".
*1968	II	The Criminal Law (Special Provisions) Ordinance, 1968.	SECTION 2.—In clause (c), *for* "Government of West Pakistan" *substitute* "Provincial Government".

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*Ceased to operate in its application to the N.W.F.P. *vide* Home Deptt. Notification No. S.O. (J-I)HD/12-1/70 dated the 9th March, 1972, and the N.W.F.P. Acts No. XV and XVI of 1973.

1	2	3	4
1968	VI	The West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968.	Section 1.—In sub-section (2), *for* "the Province of West Pakistan" *substitute* "Pakistan".
			Section 2.—In clause (e), *for* "Government of West Pakistan" *substitute* "Provincial Government".
			Schedule.—In standing order 10B, *for* "West Pakistan Employees, Social Security Ordinance" *substitute* "Provincial Employees' Social Security Ordinance".
	X	The West Pakistan Establishment and Improvement of Parks and Historical Places (Lahore) (Repeal) Ordinance, 1968.	Section 2.—In clause (b) *for* "West Pakistan" *substitute* "the Punjab".
1969	V	The West Pakistan Railway Servants Benevolent Fund Ordinance, 1969.	Section 2.—(*a*) In clause (d), *for* "Government of West Pakistan" *substitute* "Federal Government";
			(*b*) in clause (e), *for* "Pakistan Western Railway" *substitute* "Pakistan Railways"; and
			(*c*) in clause (h), omit "West".
			Section 3.—In sub-section (1), omit "West".
			Section 5.—In sub-section (2), *for* "Pakistan Western Railway" *substitute* "Pakistan Railways".
1969	VIII	The West Pakistan Shops and Establishments Ordinance, 1969.	Section 1.—In sub-section (2), *for* "the Province of West Pakistan, except the Tribal Areas" *substitute* "Pakistan".
			Section 2.—In clause (m), *for* "Government of West Pakistan" *substitute* "Provincial Government".
			Section 3.—*For* "West Pakistan" *substitute* "Pakistan".
			Section 5.—In sub-section (1), in clause (ii), omit "Western".
1969	XIV	The West Pakistan Railway Servants' Welfare Fund Ordinance, 1969.	Section 2.—(*a*) In clause (c), *for* "Government of West Pakistan" *substitute* "Federal Government";
			(*b*) in clause (f), omit "West"; and
			(*c*) in clause (g), *for* "Pakistan Western Railway" *substitute* "Pakistan Railways".
			Section 3.—In sub-section (1), omit "West".
1969	XV	The West Pakistan Publication of Books (Regulation and Control) Ordinance, 1969.	Section 1.—In sub-section (2), *for* "the Province of West Pakistan, except the Tribal Areas" *substitute* "Pakistan".

1	2	3	4
			SECTION 2.—In sub-section (1), in clause (b), *for* " Government of West Pakistan " *substitute* " Provincial Government ".
			SECTION 8.—*For* " West Pakistan " *substitute* " the Province ".
1969	XX	The West Pakistam Minimum Wages for Unskilled Workers Ordinance, 1969.	SECTION 1.—(*a*) In sub-section (2), *for* " the Province of West Pakistan, except the Tribal Areas " *substitute* " Pakistan " ; and
			(*b*) in sub-section (4), in clause (a), *for* " Article 242 of the Constitution of 1962 " *substitute* " Article 260 of the Constitution ".
			SECTION 2.—In clause (d), *for* " Government of West Pakistan " *substitute* " Provincial Government ".
1970	XXVII	The West Pakistan Publication of Test Books (Regulation and Control) Ordinance, 1970.	SECTION 1.—In sub-section (2), *for* " the Province of West Pakistan, except the Tribal Areas " *substitute* " Pakistan ".
			SECTION 2.—In sub-section (1),— (*a*) in clause (b), *for* " West Pakistan Text Book Board " *substitute* " Text Book Board "; (*b*) in clause (c), *for* " Government of West Pakistan ". *substitute* " Provincial Government "; and (*c*) in clause (g), *for* " West Pakistan Text Book Board " *substitute* "Board".

BALUCHISTAN REGULATIONS

1939	IV	The Baluchistan Frontier Crossing Regulation, 1939.	SECTION 2.—(*a*) In sub-section (1), *for* " Leased or Tribal Areas " *substitute* " Tribal Areas " ; and
			(*b*) in sub-section (2), in clause (b), *for* " Governor-General " *substitute* " President ".
			SECTION 3.—*For* " British subject or subject of a State in India and no inhabitant of any territory under His Majesty's protection " *substitute* " citizen of Pakistan and no other person for the time being within Pakistan ".
1939	VI	The Baluchistan Criminal and Civil Justice and Laws Extension Regulation, 1939.	*For* " High Court of West Pakistan " *substitute* " Sind and Baluchistan High Court ".

N.W.F.P. ACTS

1939	XXIV	The North-West Frontier Restricting the Sale of the Holy Quran Act, 1939.	*For* " North-West Frontier " *substitute* " North-West Frontier Province ".
1946	IV	The North-West Frontier Control of Advertisements relating to Medicines Act, 1946.	*For* " North-West Frontier " *substitute* " North-West Frontier Province ".

1	2	3	4
1947	IV	The North-West Frontier Prevention of Hindus Bigamous Marriages Act, 1946.	*For* " North-West Frontier " *substitute* " North-West Frontier Province ".
1948	XXII	The North-West Frontier Special Tribunal Act, 1948.	*For* " North-West Frontier " *substitute* " North-West Frontier Province ". SECTION 3.—*For* " Article 92 " *substitute* " Article 193 ".
1950	XXVI	The Criminal Law and Procedure (North-West Frontier Amendment) Act, 1950.	*For* " North-West Frontier " *substitute* " North-West Frontier Province ".
		SIND ACTS	
1935	XXV	The Sind Public Trusts Registration Act, 1935.	SECTION 2.—In sub-section (2), *for* " Sind Legislative Assembly " *substitute* " Provincial Assembly of Sind ".

FAZAL ELAHI CHAUDHRY,
President.

Countersigned

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAULHAQ CHANA,
Secretary.

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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 9th August, 1975

No. F. 24 (2)|75-Pub.—The following Order made by the President on the 5th August, 1975 is hereby published for general information :—

PRESIDENT'S ORDER No. 5 OF 1975

THE GOVERNORS' SALARIES, ALLOWANCES AND PRIVILEGES ORDER, 1975

WHEREAS it is expedient to determine the salaries, allowances and privileges of the Governors and to make provision for enabling them to discharge conveniently and with dignity the duties of their office ;

NOW, THEREFORE, in pursuance of clause (3) of Article 101 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Order :—

1. **Short title and commencement.**—(1) This Order may be called the Governors' Salaries, Allowances and Privileges Order, 1975.

(2) It shall come into force at once.

2. **Definitions.**—In this Order, unless there is anything repugnant in the subject or context,—

(a) "acting Governor" means a person appointed by the President to act as Governor when the Governor is absent from Pakistan or is unable to perform the functions of his office due to any cause ;

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(b) "family" means the Governor's wife and such of his children, step-children, parents, brothers and sisters as ordinarily reside with and are wholly dependent upon him ;

(c) "furnishings" means pictures, paintings, curios, linen, glass-ware, brass-ware, cutlery, crockery, kitchen equipment, radios, radiograms, lamps, public address systems, projectors, television sets of all kinds, accustical equipment and similar other articles ;

(d) "furniture" includes carpets, sofa sets, curtains, refrigerators, air-conditioners, washing machines and similar other articles ;

(e) "maintenance",—

(i) in relation to official residence, includes the maintenance and replenshing of furniture and furnishings, payment of local rates and taxes, maintenance of roads and electric, water, gas and sanitary fixtures and installations, and the provision of electricity, gas and water ; and

(ii) in relation to official cars and aircraft, includes the pay and allowances of chauffeurs, pilots and other establishment and the provision of oil and petrol ;

(f) "official cars", "railway saloons" and "aircraft" mean such cars, railway saloons and aircraft, if any, as are from time to time provided for use by the Governor ;

(g) "official residence" means the houses specified in the First Schedule and such other premises in the Province as the Governor may use as his official residence, and includes the staff quarters and other buildings appurtenant thereto and the gardens thereof ;

(h) "year" means a year commencing on the first day of July and ending on the thirtieth day of June next following ; and

(i) other words and expressions used in this Order and not defined shall have the meanings assigned to them in the Constitution of the Islamic Republic of Pakistan.

3. **Annual salary.**—The annual salary to be paid to each Governor shall be seventy-two thousand rupees.

4. **Equipment allowance.**—(1) The Governor may, on his assumption of office as such, draw two thousand and five hundred rupees as an allowance for equipping himself :

Provided that, during the ten years immediately preceding the assumption of that office, he had not drawn an allowance for the same purpose upon election or appointment to the office of Chairman, Speaker, Federal Minister, Governor, Chief Minister, Minister of State or Provincial Minister or a diplomatic office.

(2) The provisions of clause (1) shall not apply to an acting Governor.

5. **Allowances on taking up and laying down the office.**—(1) The Governor shall be entitled to travelling allowances to the extent mentioned below for the journey from his ordinary place of residence to the official residence on taking up office and from the official residence to his ordinary place of residence on laying down office :—

(a) the actual travelling expenses for himself and his family ;

(b) the cost of transporting personal servants, not exceeding three, by the lowest class of accommodation ; and

(c) the cost of transporting household effects, not exceeding one hundred and twenty maunds, by goods train or steamer, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of assuming or laying down office, as the case may be.

(3) The provisions of clause (1) shall not apply to an acting Governor, but there shall be paid to an acting Governor an allowance equal to his actual expenses on journeys undertaken within Pakistan, with his family, if any, and his family's effects, in connection with the taking up and relinquishment of his duties as acting Governor.

6. **Privilege in case of journeys from one Province to another.**—A Governor shall, when travelling on official duty from one Province to another, be entitled to take with him his wife, or one other member of his family, at Government expense.

7. **Official residence, railway saloons, aircraft and official cars.**—(1) Throughout his term of office, a Governor shall be entitled, without payment of rent or hire, to the use of his official residence, and of the railway saloons, aircraft and official cars, and no charge shall fall on him personally in respect of the maintenance thereof :

Provided that the Governor shall not, except when proceeding on or returning from leave, be entitled to the use of the railway saloons, aircraft or official cars during any period for which he is on leave.

(2) The provisions of clause (1) shall also apply to the family of a Governor.

8. **Sumptuary allowance and other allowances.**—There shall be paid in each year to a Governor—

(a) an allowance for expenses connected with the purposes specified in the Second Schedule not exceeding the maximum amounts specified in that Schedule :

Provided that the Governor may, without exceeding the maximum specified in column 7 of the said Second Schedule, reappropriate, whenever necessary, from any sub-head in that Schedule to any other sub-head therein except to or from the sub-head relating to sumptuary allowance ;

(b) an allowance for expenses connected with improvements in and maintenance of the official residence and the maintenance of the furniture and furnishings thereof, not exceeding the maximum amount specified in the Third Schedule :

Provided that the Governor may, without exceeding the maximum specified in column 9 of the Third Schedule, reappropriate, whenever necessary, from any sub-head in that Schedule to any other sub-head therein.

9. **Payment on account of deferred pay, etc., of officers.**—Nothing in this Order shall apply to any payment on account of the deferred pay, leave salaries, allowances, cost of passages or increments due to any officer provision for whose pay is made in the Second Schedule, and the amount of such payment shall be in addition to the maximum amounts specified in that Schedule.

10. **Payment of further amounts.**—There shall, from time to time be paid to a Governor, for the replacement of official cars, and for any other purposes considered necessary to enable him to discharge conveniently and with dignity the duties of his office, such further amounts as the President may, by general or special order, authorise, and any such order may be given retrospective effect whenever necessary.

11. **Amounts to be included in estimates of expenditure.**—The Governor shall determine, subject to any general or special order of the President, the amounts to be included in any year in the estimates of expenditure for the purpose of giving effect to the provisions of this Order, and such amounts shall be charged upon and paid out of the Provincial Consolidated Fund.

12. **Compensation in case of air accident.**—(1) If a Governor, while travelling by air on official duty, by any flight, scheduled or non-scheduled (including flight in a Government-owned aircraft of any type) dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in clause (2), a sum of one lakh and fifty thousand rupees, in the case of death, and an amount to be determined by the Government having regard to scales of compensation applied by insurance companies in like cases, in the case of injury.

(2) The compensation shall be payable in the case of injury, to the Governor, and, in the case of death, to such member or members of his family or, if there be no such member, such other person or persons as may be nominated by him, and in the absence of such nomination to his heirs.

(3) A nomination under clause (2) may be made, and may also be revoked or altered, by a notice in writing signed by the Governor and addressed to the Accounts Officer concerned.

13. **Leave of absence.**—(1) The President may grant to a Governor—

(a) during his term of office, at any one time or from time to time, leave of absence for urgent reasons of health or private affairs, for a period not exceeding four months in the aggregate:

Provided that the President may extend this period of four months in which case the reasons for the extension shall be recorded in a minute;

(b) upon the conclusion of his term of office, leave (to which the provisions of the next succeeding clause shall apply) for a single period not exceeding four months, or, if any leave has been availed of during the term of office, the difference between four months and the period of leave availed of.

(2) The leave allowance of a Governor shall be at the rate of three thousand rupees per mensem:

Provided that, in the case of a Governor appointed from Government service, the rate of leave allowance shall, if the rate admissible to him immediately before his appointment is higher than the rate admissible to him under this Order as a Governor, be that former rate.

(3) Where payment is made in dollars, the rate of exchange taken shall be that ruling on that day of payment or on the last day of the month in respect of which the payment is made, whichever day first occurs.

(4) An acting Governor shall not be entitled to any leave allowance.

14. **Medical facilities.**—The Governor and the family of the Governor shall be entitled to medical facilities in accordance with the Special Medical Attendance Rules :

Provided that he and his family shall ordinarily be entitled to receive medical treatment at his residence.

15. **Custom-duties or sales-tax not leviable on certain articles.**—(1) No custom-duties or sales tax shall be levied on the following articles if imported or purchased out of bond by a Governor on appointment or during his tenure of office, namely :—

(a) articles for the personal use, wear or consumption of the Governor or any member of the family of the Governor provided that the cost thereof shall not exceed fifteen thousand rupees per annum ;

(b) one car, the cost of which shall not exceed fifty thousand rupees, for his personal use during the tenure of his office ;

(c) foodstuffs and tobacco for consumption by a Governor, members of his family and his guests, whether official or not ;

(d) articles for furnishing of the Governor's official residence ; and

(e) official cars or aircraft.

(2) No custom-duties or sales tax shall be levied on tobacco imported by manufacturers in Pakistan for the manufacture of cigarettes, and no excise duty shall be levied on indigenous tobacco used in Pakistan in the manufacture of cigarettes and on cigarettes manufactured in Pakistan, when such cigarettes are for consumption by a Governor, members of his family or the guests referred to in paragraph (c) of clause (1).

(3) No excise duty shall be levied on indigenous petrol and petroleum products when such petrol or petroleum products are for use in the official cars and aircraft.

16. **Provident Fund.**—A Governor may, at his option, become a subscriber to the General Provident Fund ; and if he so opts, he shall subscribe to the Fund as a compulsory subscriber in accordance with the General Provident Fund (Central Services) Rules.

17. **Order to have effect subject to instructions, etc.**—This Order shall have effect subject to such instructions, rules, exceptions, further concessions or easements, as the President may, from time to time, prescribe or grant.

18. **Repeal.**—The Governors' Remuneration and Privileges Order, 1962 (P. O. No. 14 of 1962) is hereby repealed.

FIRST SCHEDULE

[*See* Article 2 (g)]

OFFICIAL RESIDENCE

Baluchistan	(1) The Governor's House, Quetta. (2) The Governor's House, Ziarat. (3) The Governor's House, Sibi.
North-West Frontier	(1) The Governor's House, Peshawar. (2) The Governor's House, Nathiagali.
Punjab	(1) The Governor's House, Lahore. (2) The Governor's House, Murree.
Sind	(1) The Governor's House, Karachi.

SECOND SCHEDULE

[*See* Article 8 (a)]

Maximum yearly amounts for expenditure in respect of certain matters,

Province	Sumptuary Allowance	Staff including dispensary establishment	Contract Allowance	Official conveyances including motor cars	Tour expenses including maintenance of railway saloons	TOTAL
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.		Rs.
Baluchistan	40,000	1,20,000	80,000	(96,000)		3,36,000
North-West Frontier	48,000	2,24,000	1,04,000	96,000		4,72,000
Punjab	80,000	2,44,800	1,76,000	1,20,000		6,20,800
Sind	56,000	2,24,000	1,12,000	96,000		4,88,000

THIRD SCHEDULE

[*See* Article 8 (b)]

Maximum yearly amounts for improvements in and maintenance of official residence.

Province	Improvements	Repairs & Maintenance	Maintenance & replenishment of furniture	Rates & taxes	Water	Electricity	Gardens	TOTAL
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Baluchistan	14,400	90,000	7,500	5,400	21,600	54,000	45,000	2,37,900
North-West Frontier	14,400	1,62,000	7,500	5,760	21,600	72,000	54,000	3,37,260
Punjab	27,000	1,80,000	10,000	10,800	72,000	81,000	90,000	4,70,800
Sind	14,400	90,000	7,500	(21,600)		63,000	27,000	2,23,500

FAZAL ELAHI CHAUDHRY,
President.

Countersigned

ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAULHAQ CHANA,
Secretary.

No. F. 24 (2)|75-Pub. (1).—The following Order made by the President on the 5th August, 1975, is hereby published for general information :—

THE GOVERNOR'S PENSION (AMENDMENT) ORDER, 1975

PRESIDENT'S ORDER No. 6 OF 1975

WHEREAS it is expedient to amend the Governor's Pension Order, 1974 (P. O. No. 3 of 1974), for the purpose hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by clause (3) of Article 101 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make the following Order, namely :—

1. **Short title and commencement.**—(1) This Order may be called the Governor's Pension (Amendment) Order, 1975.

(2) It shall come into force at once.

2. **Amendment of Article 2, P. O. 3 of 1974.**—In the Governor's Pension Order, 1974 (P. O. 3 of 1974), in Article 2, for the words "one thousand and two hundred" the words "one thousand and five hundred" shall be substituted.

FAZAL ELAHI CHAUDHRY,
President.

Countersigned.
ZULFIKAR ALI BHUTTO,
Prime Minister.

ZIAULHAQ CHANA,
Secretary.

CORRIGENDA

[*to the* Gazette of Pakistan, Extraordinary, *Part I, dated the 22nd July, 1975, containing Regulation No. III of 1975*]

Page 387 : In line 12, *for* "To apply" *read* "to apply".
: In line 15, *for* "Province :—" *read* "Province ;".
: In line 5, from the bottom, *for* "Forntier" *read* "Frontier".

Page 388 : In the Schedule, in column 3, against entry No. 1, *for* "D-" *read* "Dir".

D BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS, ISLAMABAD
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